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**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

SUBDIVISION REVIEW BOARD

*Promoting the wise use of land
Helping build great communities*

MEETING DATE July 18, 2005	CONTACT/PHONE Brian Pedrotti 788-2788	APPLICANT Karen Luce	FILE NO. CO 04-0246 SUB2003-00219
SUBJECT Request by Karen Luce for a Tentative Parcel Map to allow for the subdivision of a 10,500 square-foot parcel into four parcels and construction of four residences as a planned development. The proposed residential parcels are 2,625 square feet each. The proposed residences would be two-story, include an attached garage, and be 1,260 square feet each. The proposal includes a common easement for access between residences. The proposed project would result in the disturbance of 10,500 square feet. The proposed project is within the Residential Multi-Family land use category and is located in the northwest corner of 24 th Street and Cienega Street (2391 Cienega Street), in the community of Oceano. The site is in the San Luis Bay (Inland), Oceano planning area.			
RECOMMENDED ACTION 1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Tentative Parcel Map CO 04-0246 and Conditional Use Permit SUB2003-00219 based on the findings listed in Exhibits A and C, and the conditions listed in Exhibits B and D.			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on May 17, 2005, for this project. Mitigation measures are proposed to address aesthetics, air quality, cultural resources, geology and soils, hazards/hazardous materials, noise, public services/utilities, recreation, and transportation/circulation, and are included as conditions of approval.			
LAND USE CATEGORY Residential Multi-Family	COMBINING DESIGNATION Airport Review	ASSESSOR PARCEL NUMBER 062-123-023, -024	SUPERVISOR DISTRICT(S) 4
PLANNING AREA STANDARDS: A. Oceano Specific Plan, B. Curb, Gutter and Sidewalk, C. Airport Review Area <i>Does the project conform to the Planning Area Standards - Yes, see discussion</i>			
LAND USE ORDINANCE STANDARDS: Ch. 22.10 – Development Standards (Fencing, screening, density, solid waste collection) Ch. 22.16 – Landscaping Ch. 22.18 – Parking Sec. 22.22.060 – Residential Multi-Family Subdivision Design			
EXISTING USES: Single-family residence			
SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Single Family/residence South: Residential Multi-Family/ mobile home park East: Residential Multi-Family/townhouses West: Residential Multi-Family/residence			
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242</small>			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Oceano/Halcyon Advisory Group, Public Works, Environmental Health, County Parks, Oceano Community Services District, APCD, ALUC, Caltrans	
TOPOGRAPHY: Nearly level	VEGETATION: Landscape trees, vegetation
PROPOSED SERVICES: Water supply: OCSD – community system Sewage Disposal: OCSD – community system Fire Protection: OCSD	ACCEPTANCE DATE: October 13, 2004

ORDINANCE COMPLIANCE:

Minimum Parcel Size and Development Standards

Section 22.22.080 of the Land Use Ordinance allows for the Review Authority, through Conditional Use Permit approval, to determine minimum parcel sizes for a planned development. The density of residential units must be in compliance with Planning Area Standards and Section 22.10.130 for Residential Multi-Family projects. Section 22.10, 16, and 18 of the Land Use Ordinance establishes Development Standards. The proposed Parcel Map and Conditional Use Permit meets all requirements as follows:

<u>Standard</u>	<u>Allowed/Required</u>	<u>Proposed</u>
Minimum Site Area	6,000 square feet	10,500 square feet
Density	0.24 acres @ 15 units/acre (4 units)	4 units
Maximum Floor Area	5,040 square feet (48%)	5,040 square feet (48%)
Minimum Open Area	4,725 square feet (45%)	5,088 square feet (48.5%)
Setbacks Front Side Rear	May be set by map with minimum of 10 feet between all structures	Minimum of 10 feet between all structures; Front, Side, Rear - Variable, minimum 5 feet
Height	35 feet	22' 10"
Parking	Resident - 8 spaces Guest - 1 space	Resident - 8 spaces Guest - 1 space

Quimby Fees

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

Affordable Housing Fees

Sections 18.07 et. seq of Title 18 of the County Code establishes a fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

Design Standards

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

BACKGROUND: The project proposes four detached multi-family residences. The applicant and staff met on several occasions to discuss design issues. Staff and the applicant are satisfied with the current proposal. This project will contain many design features that will enhance the living environment for this project and the neighborhood as well.

PROJECT DESCRIPTION / SITE DESIGN:

The proposed project is a multi-family planned development residential project consisting of four detached residences, each with a floor area of 1,260 square feet, excluding garages. Individual units are accessed through a common driveway, which will be dedicated a common easement. Each 3-bedroom residence will be constructed with a two-car garage for resident parking. Additionally, one guest parking space will be provided as a parallel space along the existing alley to the north.

For projects in the Residential Multiple-Family land use category, staff has been challenged to work with applicants to attain an appropriate and livable amount of common and private outdoor space for individual units. For this project, more significant private open space areas for individual units have been favored over common open space due to the limited size of the parcel and the environmental limitations presented by its location near Highway 1. Common area is included in the common driveway easement, which is primarily an access and driveway area.

The four units are proposed with 3 bedrooms each, primarily with bedrooms on the second floor and living and dining rooms on the first floor. Exterior wall material is horizontal wood siding, with vinyl windows highlighted with wood trim accents and scalloped siding near the roofline to provide interest. Roofing material is asphalt shingle.

PLANNING AREA STANDARDS:

The project site is located within the Oceano Urban Area. Planning Area Standards for Residential Multi-Family projects establish density, intensity, and site planning criteria as outlined above. The applicant worked closely with staff to provide minor revisions to the original project to meet site planning and design objectives. The proposed multi-family residence type development satisfies all Planning Area Standards.

Oceano Specific Plan / Design Guidelines

The Oceano Specific Plan includes numerous design guidelines that provide policy direction for new multi-family developments. Guidelines are in the areas of site planning, parking/driveways, garages/carports, and architecture. Overall, the project is consistent with the design guidelines. In particular, all residential units are properly sited and accessible via both vehicle drives and pedestrian walkways. Automatic garage door openers and roll-up doors are included to save space in the common driveway, with landscaped wells to provide visual interest.

COMMUNITY ADVISORY GROUP COMMENTS: Curb, gutter and sidewalk required. 24th St. needs to be paved from end of existing pavement to beginning of curb, gutter and sidewalk. Full use of street parking is expected due to the configuration of the project.

AGENCY REVIEW:

Public Works – Concerns with common use area, correct map number.

Environmental Health - A final can and will serve letter will be required prior to recordation of final map.

County Parks – Pay Quimby and applicable building fees.

CDF – Applicant shall obtain fire safety clearance letter prior to recordation of final map.

Nipomo Community Services District – Intent-to-serve letter provided.

LEGAL LOT STATUS:

The existing lot was legally created by a recorded map at a time when that was a legal method of creating lots.

FINDINGS - EXHIBIT A

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on May 17, 2005, for this project. Mitigation measures are proposed to address aesthetics, air quality, cultural resources, geology and soils, hazards/hazardous materials, noise, public services/utilities, recreation, and transportation/circulation, and are included as conditions of approval.

Tentative Map

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Residential Multi-Family land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because the required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of multi-family residences.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support four multi-family residences.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because no rare, endangered or sensitive species are present; no archaeological artifacts were noted on the property; and mitigation measures for air quality, public services/utilities, recreation, and transportation/circulation are required.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

EXHIBIT B

CONDITIONS OF APPROVAL FOR CO 04-0246 (LUCE)

Approved Project

1. A Tentative Parcel Map to allow for the subdivision of a 10,500 square-foot parcel into four parcels and construction of four residences as a planned development. The proposed residential parcels are 2,625 square feet each. The proposed residences would be two-story, include an attached garage, and be 1,260 square feet each. The proposal includes a common easement for access between residences. The proposed project would result in the disturbance of 10,500 square feet.

Conditional Use Conditions of Approval

2. **Prior to recordation of the final map or commencement of tract improvements**, the applicant shall provide County Public Works with written evidence from the Director of Planning and Building that all applicable conditions of approval for the associated Conditional Use Permit have been met.

Access and Improvements

3. Roads and/or streets to be constructed to the following standards:
 - a. 24th Street and Highway 1 widened to complete an A-2 section fronting the property.
4. The applicant offer for dedication to the public by certificate on the map or by separate document:
 - b. A 20 foot radius property line return at the intersection of 24th St. and Highway 1.
5. Access be denied to lots 3 and 4 from Highway 1 and that this be by certificate and designation on the map.
6. A private easement be reserved on the map for access to lots 1, 2, 3, and 4.
7. All grading shall be done in accordance with Appendix 33 of the Uniform Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

Improvement Plans

8. Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Water plan (County Health).
 - d. Sewer plan (County Health).

- e. Grading and erosion control plan for subdivision related improvement locations.
 - f. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
9. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
10. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.
11. **Prior to issuance of construction permit/ tract improvement plan**, the applicant shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist, for the review and approval by the Environmental Coordinator. The monitoring plan shall include at a minimum:
- a. List of personnel involved in the monitoring activities;
 - b. Description of how the monitoring shall occur;
 - c. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
 - d. Description of what resources are expected to be encountered;
 - e. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
 - f. Description of procedures for halting work on the site and notification procedures;
 - g. Description of monitoring reporting procedures.
12. **During all ground disturbing construction activities**, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) [and Native American] to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.

Drainage

13. Adjacent streets are not capable of carrying additional runoff. Construction off-site drainage facilities for adequate outlet, or provide evidence of adequate drainage easements.
14. Submit complete drainage calculations to the Department of Public Works for review and approval.
15. If calculations so indicate, drainage must be retained in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards. If any water is proposed to be released off-site the

effects on neighbors and the community shall be detailed along with mitigation measures.

16. If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
 - a. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.
17. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program.

Soils Report

18. Three (3) copies of a Preliminary Soils Report prepared by a Registered Civil Engineer in accordance with Sections 17953, 17954, 17955 of the California Health and Safety Code shall be submitted to the Public Works, Health and Planning and Building Departments prior to the filing of the final parcel or tract map. The date and person who prepared the report are to be noted on the map.

Utilities

19. Electric and telephone lines shall be installed underground.
20. Cable T.V. conduits shall be installed in the street.
21. Gas lines shall be installed.

Design

22. The applicant shall apply to the Department of Planning and Building for approval of new street names prior to the filing of the final parcel or tract map. Approved street names shall be shown on the final parcel or tract map.

Fire Protection

23. The applicant shall obtain a fire safety clearance letter from the Oceano Community Services District establishing fire safety requirements prior to filing the final parcel or tract map.

Parks and Recreation (Quimby) Fees

24. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.

Affordable Housing Fee

25. **Prior to filing the final parcel or tract map**, the applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of

recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

Additional Map Sheet

26. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
- a. During construction/ground disturbing activities for construction of the individual houses, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.
 - i. Reduce the amount of disturbed area where possible.
 - ii. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Reclaimed (nonpotable) water should be used whenever possible.
 - iii. All dirt stockpile areas should be sprayed daily as needed.
 - iv. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible.
 - v. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - vi. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top load and top of trailer) in accordance with CVC Section 23114.
 - vii. Wheel washers shall be installed where vehicles enter and exit unpaved roads onto streets, or trucks and equipment shall be washed off onsite prior to leaving the site.
 - viii. Streets shall be swept at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.
 - b. **Prior to issuance of grading permits**, the applicant shall conduct a geologic investigation for naturally occurring asbestos on the project site or provide a waiver of this requirement from the APCD. If naturally occurring asbestos is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include, but are not limited to: 1) an Asbestos Dust Mitigation Plan which must be approved by the APCD before construction begins, and 2) an Asbestos Health and Safety Program may be required.
 - c. **Prior to issuance of grading permits**, demolition activities included as part of this project will be subject to requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (NESHAP). These requirements include, but are not limited to; 1) notification requirements to the District, 2) asbestos

survey conducted by a Certified Asbestos Inspector, and 3) applicable removal and disposal requirements of identified ACM. Please contact Tim Fuhs of the APCD Enforcement Division at (805) 781-5912.

- d. **Prior to developmental burning of vegetative material**, the applicant shall apply for and obtain a burn permit from the APCD and County Fire/California Department of Forestry. The application requires the submittal of a technical feasibility study.
- e. **Immediately following removal of the existing residence and vegetation and prior to any grading**, a qualified archaeologist shall conduct a supplemental surface (Phase I) survey of these previously unsurveyed portions of the parcel. The archaeologist shall determine if additional testing/mitigation is necessary if significant resources are encountered, such as monitoring during construction and/or analyzing a sample of the resource, etc
- f. **In the event archaeological resources are unearthed or discovered during any construction activities**, the following standards apply:
 - i. Construction activities shall cease, and the Environmental Coordinator and Department of Planning and Building shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - ii. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Environmental Coordinator and Department of Planning and Building so that proper disposition may be accomplished.
- g. **Prior to issuance of construction permits**, the applicant shall consider the use of porous paving materials for the shared access easement and a drainage plan shall be prepared for review and approval. The plan shall include the following:
 - i. Flow lines of surface and subsurface waters onto and off the site;
 - ii. Existing and finished contours at two-foot intervals or other topographic information required by the County Engineer;
 - iii. Building pad, finished floor, and street elevations, existing and proposed;
 - iv. Location and graphic representation of all existing and proposed natural and man made drainage facilities for storage or conveyance of runoff including drainage swales, ditches, culverts and berms, sumps, sediment basins, channels, ponds, storm drains and drop inlets. Include detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be constructed with or as a part of the proposed work, together with a map showing the drainage area and hydraulic calculations showing the facilities flow carrying capacities and justifying the estimated runoff of the area served by any drain. Include design discharges and velocities for conveyance devices, and storage volumes of sumps, ponds, and sediment basins;
 - v. Estimates of existing and increased runoff resulting from the proposed improvements and methods for reducing velocity of any increased runoff;

- vi. Methods for enhancing groundwater recharge that have been incorporated into the project design or an explanation of non-necessity of groundwater recharge for this site; and,
 - vii. Proposed flood-proofing measures where determined necessary by the County Engineer.
- h. **Prior to issuance of construction permits**, in order to comply with Oceano Airport operations:
- i. An aviation easement shall be granted to the County;
 - ii. Maximum interior noise levels in structures shall be limited to 45 dB or less and other provisions of the California Noise Insulation Standards shall be met with respect to aircraft and/or airport noise;
 - iii. Non-reflective materials shall be used for external surfaces;
 - iv. No electronic transmissions that would interfere with aircraft operations;
 - v. No uses that attract birds and create bird strike hazards,
 - vi. Permit shall require full compliance with Federal Aviation Regulation part 77, "Objects Affecting Navigable Airspace" including, if required, submittal of FAA Form 7460-1.
 - vii. All owners, potential purchasers, occupants (whether as owners or renters), and potential occupants (whether as owners or renters) shall receive full and accurate disclosure concerning the presence and operations of the Airport and any noise, safety, or over-flight impacts associated with airport operations prior to entering into any contractual obligation to purchase, lease rent, or otherwise occupy any property or properties.
- i. **Prior to issuance of construction permits**, the following elements shall be shown for proposed Lot 3 and Lot 4:
- i. **Vents and roof penetrations:** Soffit vents, eave vents, dormer vents and other wall and roof penetrations shall be located on the walls and roofs facing east, north, and west, away from the noise source. If soffit or eave or dormer vents, doors, windows, skylights, or other roof or wall penetrations face south toward the noise source, they shall be acoustically rated and designed;
 - ii. **Walls and Roofs:** The south elevations of dwelling units nearest the noise source shall have wall, ceiling and roof construction with a Sound Transmission Class (STC) rating of 35 or greater. Common acoustic leaks, such as electrical outlets, pipes, vents, ducts, flues, and other breaks in the integrity of the south wall, ceiling or south-facing roof construction on the south side shall receive special attention during construction. All construction openings and joints on the walls on the south side of the site shall be insulated, sealed and caulked with a resilient, non-hardening caulking material. All such openings and joints shall be airtight to maintain sound isolation;
 - iii. **Glazing of Windows and Doors:** In order to meet interior L dn/C.N.E.L. 45 DBA requirements, south-facing glazing shall be of double-glazed construction and installed in accordance with the recommendations of the manufacturer. The south facing windows shall be fully gasketed, with an STC rating of 30 or better, as determined in testing by an accredited acoustical laboratory. One pane shall be laminated glass;
 - iv. **Ventilation:** On the noise-exposed side of the dwellings, the interior noise levels with the windows open would exceed the recommended CNEL 45 dB level for residences. In order to achieve quiet conditions during noisy

periods, all operable windows, skylights and doors on the south side of the residences may be shut.

- j. **Prior to final inspection**, a three-foot tall earthen berm shall be constructed along the Cienega Street property frontage. The berm shall be stabilized with native, drought-tolerant vegetation prior to final inspection.
- k. **Prior to final inspection**, a noise-level assessment shall be conducted to verify acceptable interior and exterior noise levels have been met by implementation of N-1 and N-2, and as required by HM-1.

Covenants, Conditions and Restrictions

27. The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:

- a. On-going maintenance of drainage basin and adjacent landscaping in a viable condition on a continuing basis into perpetuity.
- b. Maintenance of common areas.
- c. **Prior to issuance of grading permits**, the applicant shall conduct a geologic investigation for naturally occurring asbestos on the project site or provide a waiver of this requirement from the APCD. If naturally occurring asbestos is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include, but are not limited to: 1) an Asbestos Dust Mitigation Plan which must be approved by the APCD before construction begins, and 2) an Asbestos Health and Safety Program may be required.
- d. **Prior to issuance of grading permits**, demolition activities included as part of this project will be subject to requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (NESHAP). These requirements include, but are not limited to; 1) notification requirements to the District, 2) asbestos survey conducted by a Certified Asbestos Inspector, and 3) applicable removal and disposal requirements of identified ACM. Please contact Tim Fuhs of the APCD Enforcement Division at (805) 781-5912.
- e. **Prior to developmental burning of vegetative material**, the applicant shall apply for and obtain a burn permit from the APCD and County Fire/California Department of Forestry. The application requires the submittal of a technical feasibility study.
- f. **Immediately following removal of the existing residence and vegetation and prior to any grading**, a qualified archaeologist shall conduct a supplemental surface (Phase I) survey of these previously unsurveyed portions of the parcel. The archaeologist shall determine if additional testing/mitigation is necessary if significant resources are encountered, such as monitoring during construction and/or analyzing a sample of the resource, etc

g. **In the event archaeological resources are unearthed or discovered during any construction activities**, the following standards apply:

- i. Construction activities shall cease, and the Environmental Coordinator and Department of Planning and Building shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
- ii. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Environmental Coordinator and Department of Planning and Building so that proper disposition may be accomplished.

h. **Prior to issuance of construction permits**, the applicant shall consider the use of porous paving materials for the shared access easement and a drainage plan shall be prepared for review and approval. The plan shall include the following:

- i. Flow lines of surface and subsurface waters onto and off the site;
- ii. Existing and finished contours at two-foot intervals or other topographic information required by the County Engineer;
- iii. Building pad, finished floor, and street elevations, existing and proposed;
- iv. Location and graphic representation of all existing and proposed natural and man made drainage facilities for storage or conveyance of runoff including drainage swales, ditches, culverts and berms, sumps, sediment basins, channels, ponds, storm drains and drop inlets. Include detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be constructed with or as a part of the proposed work, together with a map showing the drainage area and hydraulic calculations showing the facilities flow carrying capacities and justifying the estimated runoff of the area served by any drain. Include design discharges and velocities for conveyance devices, and storage volumes of sumps, ponds, and sediment basins;
- v. Estimates of existing and increased runoff resulting from the proposed improvements and methods for reducing velocity of any increased runoff;
- vi. Methods for enhancing groundwater recharge that have been incorporated into the project design or an explanation of non-necessity of groundwater recharge for this site; and,
- vii. Proposed flood-proofing measures where determined necessary by the County Engineer.

i. **Prior to issuance of construction permits**, in order to comply with Oceano Airport operations:

- i. An aviation easement shall be granted to the County;
- ii. Maximum interior noise levels in structures shall be limited to 45 dB or less and other provisions of the California Noise Insulation Standards shall be met with respect to aircraft and/or airport noise;
- iii. Non-reflective materials shall be used for external surfaces;
- iv. No electronic transmissions that would interfere with aircraft operations;
- v. No uses that attract birds and create bird strike hazards,
- vi. Permit shall require full compliance with Federal Aviation Regulation part 77, "Objects Affecting Navigable Airspace" including, if required, submittal of FAA Form 7460-1.

All owners, potential purchasers, occupants (whether as owners or renters), and potential occupants (whether as owners or renters) shall receive full and accurate disclosure concerning the presence and operations of the Airport and any noise, safety, or over-flight impacts associated with airport operations prior to entering into any contractual obligation to purchase, lease rent, or otherwise occupy any property or properties.

- j. **Prior to issuance of construction permits**, the following elements shall be shown for proposed Lot 3 and Lot 4:
- i. **Vents and roof penetrations:** Soffit vents, eave vents, dormer vents and other wall and roof penetrations shall be located on the walls and roofs facing east, north, and west, away from the noise source. If soffit or eave or dormer vents, doors, windows, skylights, or other roof or wall penetrations face south toward the noise source, they shall be acoustically rated and designed;
 - ii. **Walls and Roofs:** The south elevations of dwelling units nearest the noise source shall have wall, ceiling and roof construction with a Sound Transmission Class (STC) rating of 35 or greater. Common acoustic leaks, such as electrical outlets, pipes, vents, ducts, flues, and other breaks in the integrity of the south wall, ceiling or south-facing roof construction on the south side shall receive special attention during construction. All construction openings and joints on the walls on the south side of the site shall be insulated, sealed and caulked with a resilient, non-hardening caulking material. All such openings and joints shall be airtight to maintain sound isolation;
 - iii. **Glazing of Windows and Doors:** In order to meet interior L_{dn}/C.N.E.L. 45 DBA requirements, south-facing glazing shall be of double-glazed construction and installed in accordance with the recommendations of the manufacturer. The south facing windows shall be fully gasketed, with an STC rating of 30 or better, as determined in testing by an accredited acoustical laboratory. One pane shall be laminated glass;
 - iv. **Ventilation:** On the noise-exposed side of the dwellings, the interior noise levels with the windows open would exceed the recommended CNEL 45 dB level for residences. In order to achieve quiet conditions during noisy periods, all operable windows, skylights and doors on the south side of the residences may be shut.
- k. **Prior to final inspection**, a three-foot tall earthen berm shall be constructed along the Cienega Street property frontage. The berm shall be stabilized with native, drought-tolerant vegetation prior to final inspection.
- l. **Prior to final inspection**, a noise-level assessment shall be conducted to verify acceptable interior and exterior noise levels have been met by implementation of N-1 and N-2, and as required by HM-1.

Miscellaneous

28. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and sewer, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.

FINDINGS - EXHIBIT C

Conditional Use Permit SUB2003-00219 (Luce)

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on May 17, 2005, for this project. Mitigation measures are proposed to address aesthetics, air quality, cultural resources, geology and soils, hazards/hazardous materials, noise, public services/utilities, recreation, and transportation/circulation, and are included as conditions of approval.

Conditional Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the proposed the 4-unit multi-family residential development does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development the proposed the 4-unit multi-family residential development is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the proposed the 4-unit multi-family residential development is located on Cienaga Street, an arterial constructed to a level able to handle any additional traffic associated with the project

EXHIBIT D - CONDITIONS OF APPROVAL

Approved Development

1. This approval authorizes:
 - a. A Conditional Use Permit to allow for the subdivision of a 10,500 square-foot parcel into four parcels and construction of four residences as a planned development. The proposed residential parcels are 2,625 square feet each. The proposed residences would be two-story, include an attached garage, and be 1,260 square feet each. The proposal includes a common easement for access between residences. The proposed project would result in the disturbance of 10,500 square feet.
 - b. maximum height is 35 from average natural grade.

Subdivision Related Approvals

2. This approval authorizes a planned development/subdivision of a 10,500 square-foot parcel into 4 parcels for the construction of 4 residences, consistent with the Tentative Parcel Map CO 04-0246.
3. This approval is effective for a period of 24 months from the date of the approval of the tentative map by the Subdivision Review Board. Conditional Use time extensions shall run concurrently with the Tentative Map time extensions thereafter, until expiration of the Tentative Map. Time extensions for the Tentative Map must be requested by the applicant or agent and are subject to further review.
4. Any significant revisions in the Tentative Map not authorized by this approval shall require reconsideration by the Subdivision Review Board.

Conditions required to be completed at the time of application for construction permits

Site Development

5. **At the time of application for construction permits** plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations and landscape plan.
6. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

Vector Control and Solid Waste

7. A determination of method of pick-up shall be specified by the waste handler and if centralized facilities for the pick-up are required, provisions shall be made within the project for central facilities that meet Land Use Ordinance requirements for trash enclosures. If centralized facilities are established, this shall include provisions for recycling if service is available or subsequent installation of such facilities if recycling service becomes available in the future.

Fire Safety

8. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of

the California Fire Code. Requirements shall include, but not be limited to those outlined in the Oceano Community Services District letter dated April 29, 2004.

Services

9. **At the time of application for construction permits**, the applicant shall provide a letter from Oceano Community Services District stating they are willing and able to service the property.

Conditions to be completed prior to issuance of a construction permit

Fees

10. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.
11. During construction/ground disturbing activities for construction of the individual houses, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.
- a. Reduce the amount of disturbed area where possible.
 - b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Reclaimed (nonpotable) water should be used whenever possible.
 - c. All dirt stockpile areas should be sprayed daily as needed.
 - d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible.
 - e. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - f. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top load and top of trailer) in accordance with CVC Section 23114.
 - g. Wheel washers shall be installed where vehicles enter and exit unpaved roads onto streets, or trucks and equipment shall be washed off onsite prior to leaving the site.
 - h. Streets shall be swept at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.
12. **Prior to issuance of grading permits**, the applicant shall conduct a geologic investigation for naturally occurring asbestos on the project site or provide a waiver of this requirement from the APCD. If naturally occurring asbestos is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include, but are not limited to: 1) an Asbestos Dust Mitigation Plan which must be approved by the APCD before construction begins, and 2) an Asbestos Health and Safety Program may be required.

13. **Prior to issuance of grading permits**, demolition activities included as part of this project will be subject to requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (NESHAP). These requirements include, but are not limited to; 1) notification requirements to the District, 2) asbestos survey conducted by a Certified Asbestos Inspector, and 3) applicable removal and disposal requirements of identified ACM. Please contact Tim Fuhs of the APCD Enforcement Division at (805) 781-5912.
14. **Prior to developmental burning of vegetative material**, the applicant shall apply for and obtain a burn permit from the APCD and County Fire/California Department of Forestry. The application requires the submittal of a technical feasibility study.
15. **Immediately following removal of the existing residence and vegetation and prior to any grading**, a qualified archaeologist shall conduct a supplemental surface (Phase I) survey of these previously unsurveyed portions of the parcel. The archaeologist shall determine if additional testing/mitigation is necessary if significant resources are encountered, such as monitoring during construction and/or analyzing a sample of the resource, etc
16. **In the event archaeological resources are unearthed or discovered during any construction activities**, the following standards apply:
 - a. Construction activities shall cease, and the Environmental Coordinator and Department of Planning and Building shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - b. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Environmental Coordinator and Department of Planning and Building so that proper disposition may be accomplished.
17. **Prior to issuance of construction permits**, the applicant shall consider the use of porous paving materials for the shared access easement and a drainage plan shall be prepared for review and approval. The plan shall include the following:
 - a. Flow lines of surface and subsurface waters onto and off the site;
 - b. Existing and finished contours at two-foot intervals or other topographic information required by the County Engineer;
 - c. Building pad, finished floor, and street elevations, existing and proposed;
 - d. Location and graphic representation of all existing and proposed natural and man made drainage facilities for storage or conveyance of runoff including drainage swales, ditches, culverts and berms, sumps, sediment basins, channels, ponds, storm drains and drop inlets. Include detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be constructed with or as a part of the proposed work, together with a map showing the drainage area and hydraulic calculations showing the facilities flow carrying capacities and justifying the estimated runoff of the area served by any drain. Include design discharges and velocities for conveyance devices, and storage volumes of sumps, ponds, and sediment basins;
 - e. Estimates of existing and increased runoff resulting from the proposed improvements and methods for reducing velocity of any increased runoff;

- f. Methods for enhancing groundwater recharge that have been incorporated into the project design or an explanation of non-necessity of groundwater recharge for this site; and,
 - g. Proposed flood-proofing measures where determined necessary by the County Engineer.
18. **Prior to issuance of construction permits**, in order to comply with Oceano Airport operations:
- a. An aviation easement shall be granted to the County;
 - b. Maximum interior noise levels in structures shall be limited to 45 dB or less and other provisions of the California Noise Insulation Standards shall be met with respect to aircraft and/or airport noise;
 - c. Non-reflective materials shall be used for external surfaces;
 - d. No electronic transmissions that would interfere with aircraft operations;
 - e. No uses that attract birds and create bird strike hazards,
 - f. Permit shall require full compliance with Federal Aviation Regulation part 77, "Objects Affecting Navigable Airspace" including, if required, submittal of FAA Form 7460-1.

All owners, potential purchasers, occupants (whether as owners or renters), and potential occupants (whether as owners or renters) shall receive full and accurate disclosure concerning the presence and operations of the Airport and any noise, safety, or over-flight impacts associated with airport operations prior to entering into any contractual obligation to purchase, lease rent, or otherwise occupy any property or properties.

19. **Prior to issuance of construction permits**, the following elements shall be shown for proposed Lot 3 and Lot 4:
- a. **Vents and roof penetrations:** Soffit vents, eave vents, dormer vents and other wall and roof penetrations shall be located on the walls and roofs facing east, north, and west, away from the noise source. If soffit or eave or dormer vents, doors, windows, skylights, or other roof or wall penetrations face south toward the noise source, they shall be acoustically rated and designed;
 - b. **Walls and Roofs:** The south elevations of dwelling units nearest the noise source shall have wall, ceiling and roof construction with a Sound Transmission Class (STC) rating of 35 or greater. Common acoustic leaks, such as electrical outlets, pipes, vents, ducts, flues, and other breaks in the integrity of the south wall, ceiling or south-facing roof construction on the south side shall receive special attention during construction. All construction openings and joints on the walls on the south side of the site shall be insulated, sealed and caulked with a resilient, non-hardening caulking material. All such openings and joints shall be airtight to maintain sound isolation;
 - c. **Glazing of Windows and Doors:** In order to meet interior L_{dn}/C.N.E.L. 45 DBA requirements, south-facing glazing shall be of double-glazed construction and installed in accordance with the recommendations of the manufacturer. The south facing windows shall be fully gasketed, with an STC rating of 30 or better, as determined in testing by an accredited acoustical laboratory. One pane shall be laminated glass;
 - d. **Ventilation:** On the noise-exposed side of the dwellings, the interior noise levels with the windows open would exceed the recommended CNEL 45 dB level for residences. In order to achieve quiet conditions during noisy periods, all

operable windows, skylights and doors on the south side of the residences may be shut.

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

20. **Prior to final inspection**, a three-foot tall earthen berm shall be constructed along the Cienega Street property frontage. The berm shall be stabilized with native, drought-tolerant vegetation prior to final inspection.
21. **Prior to final inspection**, a noise-level assessment shall be conducted to verify acceptable interior and exterior noise levels have been met by implementation of N-1 and N-2, and as required by HM-1.
22. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for before final building inspection. If bonded for, landscaping shall be installed within 60 days after final building inspection. All landscaping shall be maintained in a viable condition in perpetuity.
23. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

On-going conditions of approval (valid for the life of the project)

24. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
25. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.

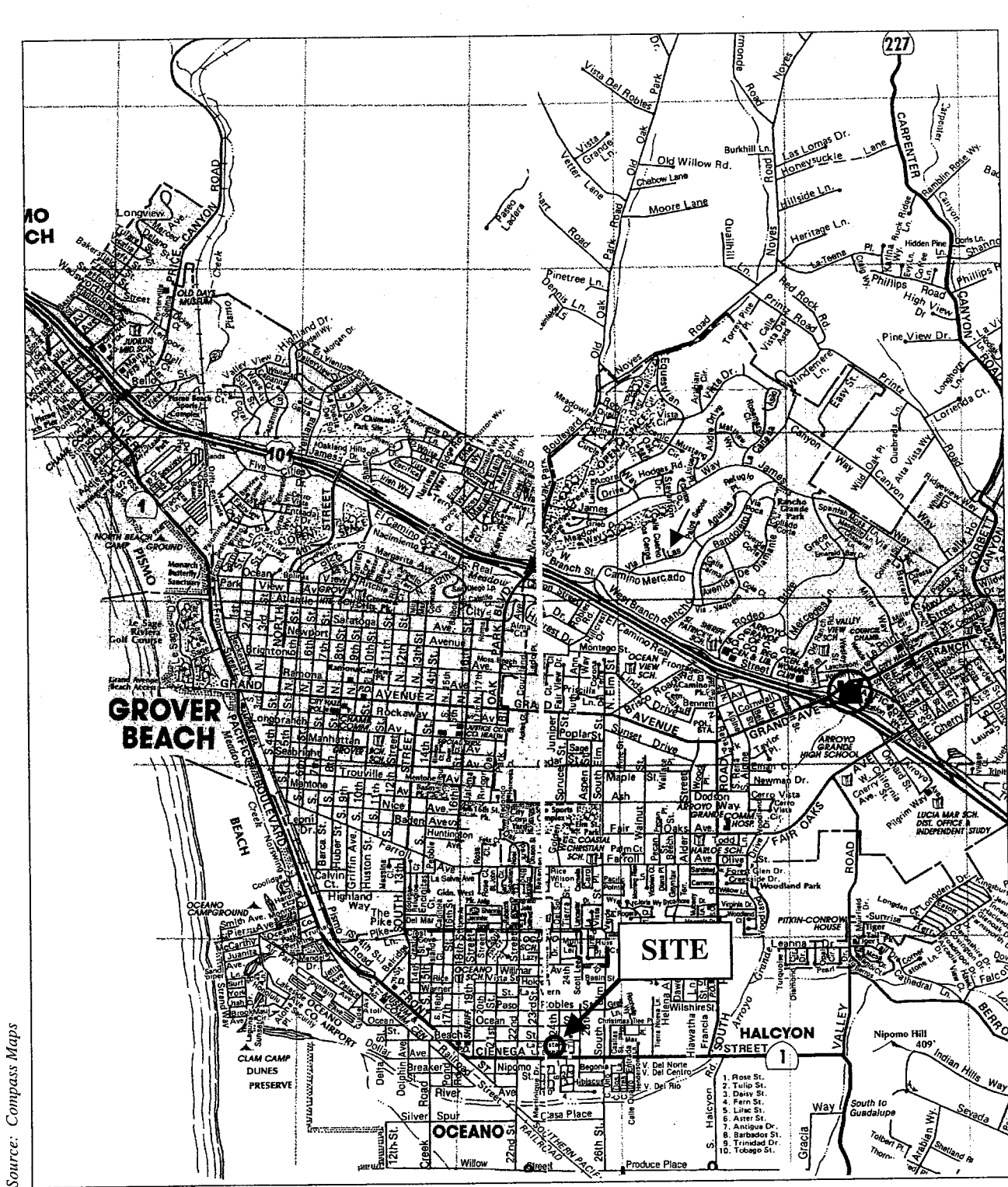
STANDARD CONDITIONS OF APPROVAL FOR
SUBDIVISIONS USING COMMUNITY WATER AND SEWER

1. Community water and fire protection shall be obtained from the community water system.
2. Operable water facilities from an approved community water source shall be assured prior to the filing of the final map. A "final will serve" letter shall be obtained and submitted to the county Health Department for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Water main extensions, laterals to each parcel and related facilities (except well(s)) may be bonded for subject to the approval of county Public Works, the county Health Department and the public water utility.
3. No residential building permits are to be issued until the community (public) water system is operational with a domestic water supply permit issued by the county Health Officer.
4. In order to protect the public safety and prevent possible groundwater pollution, any abandoned wells on the property shall be destroyed in accordance with the San Luis Obispo County Well Ordinance Chapter 8.40, and county Health Department destruction standards. The applicant is required to obtain a permit from the county Health Department.
5. When a potentially operational or operational auxiliary water supply in the form of an existing well(s) is located on the parcels created and approved community water is proposed to serve the parcels, the community water supply shall be protected from real or potential cross-contamination by means of an approved cross-connection control device installed at the meter or property line service connection prior to occupancy. (Chapter 8.30, San Luis Obispo County Ordinance)
6. Sewer service shall be obtained from the community sewage disposal system.
7. Prior to the filing of the map a "final will serve" letter be obtained and submitted to the county Health for review and approval stating that community sewer system service is immediately available for connection to the parcels created. Sewer main extensions may be bonded for, subject to the approval of county Public Works and sewer district.
8. No residential building permits shall be issued until community sewers are operational and available for connection.
9. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.
10. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.
11. Any existing reservoir or drainage swale on the property shall be delineated on the map.
12. Prior to submission of the map "checkprints" to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.

13. Required public utility easements shall be shown on the map.
14. Approved street names shall be shown on the map.
15. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
16. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.
17. Any private easements on the property shall be shown on the map with recording data.
18. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to the filing of the map.
19. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
20. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
21. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.

Staff report prepared by Brian Pedrotti
and reviewed by Kami Griffin

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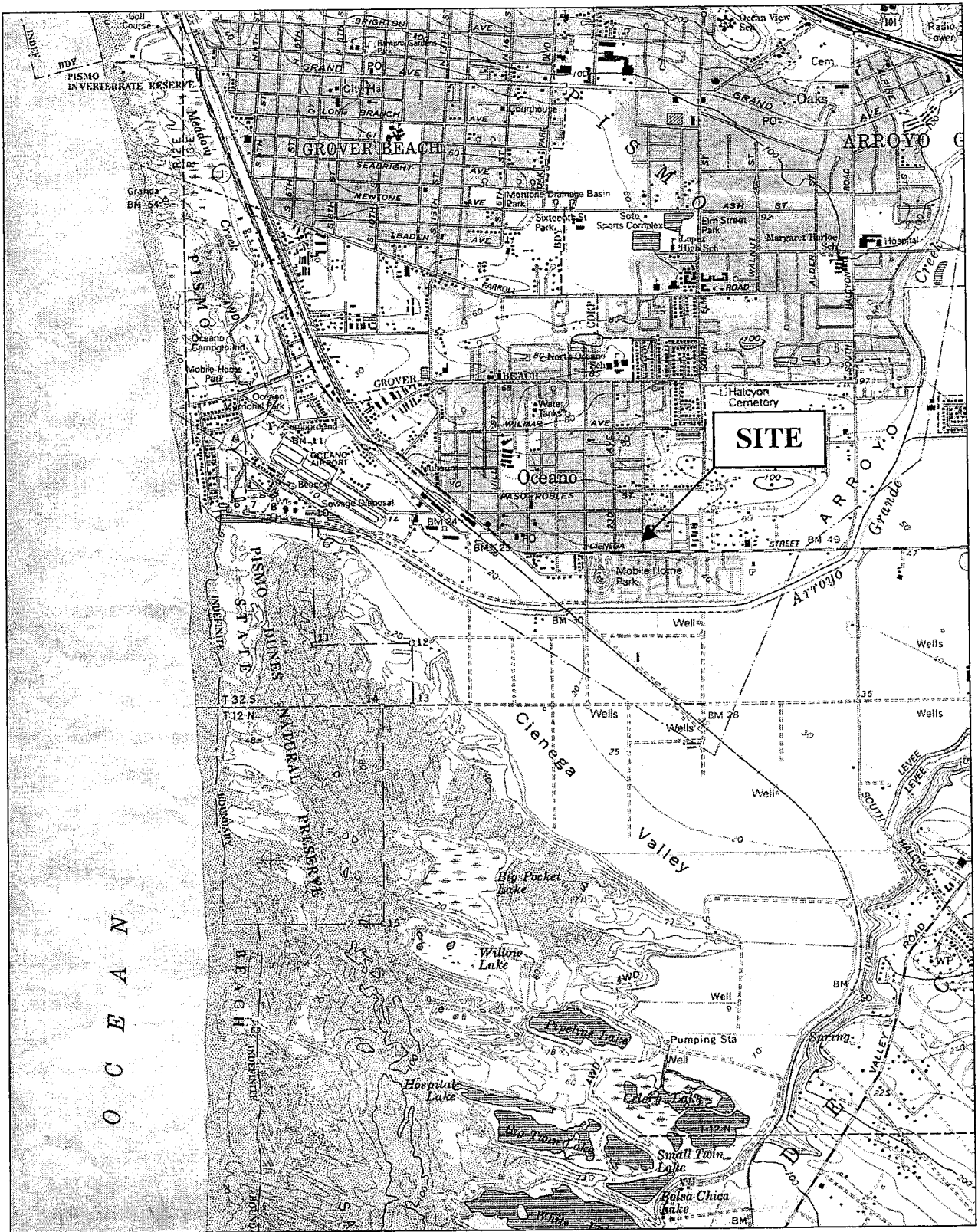
NORTH
Not to Scale

Morro Group, Inc.

VICINITY MAP
FIGURE 1

H-74

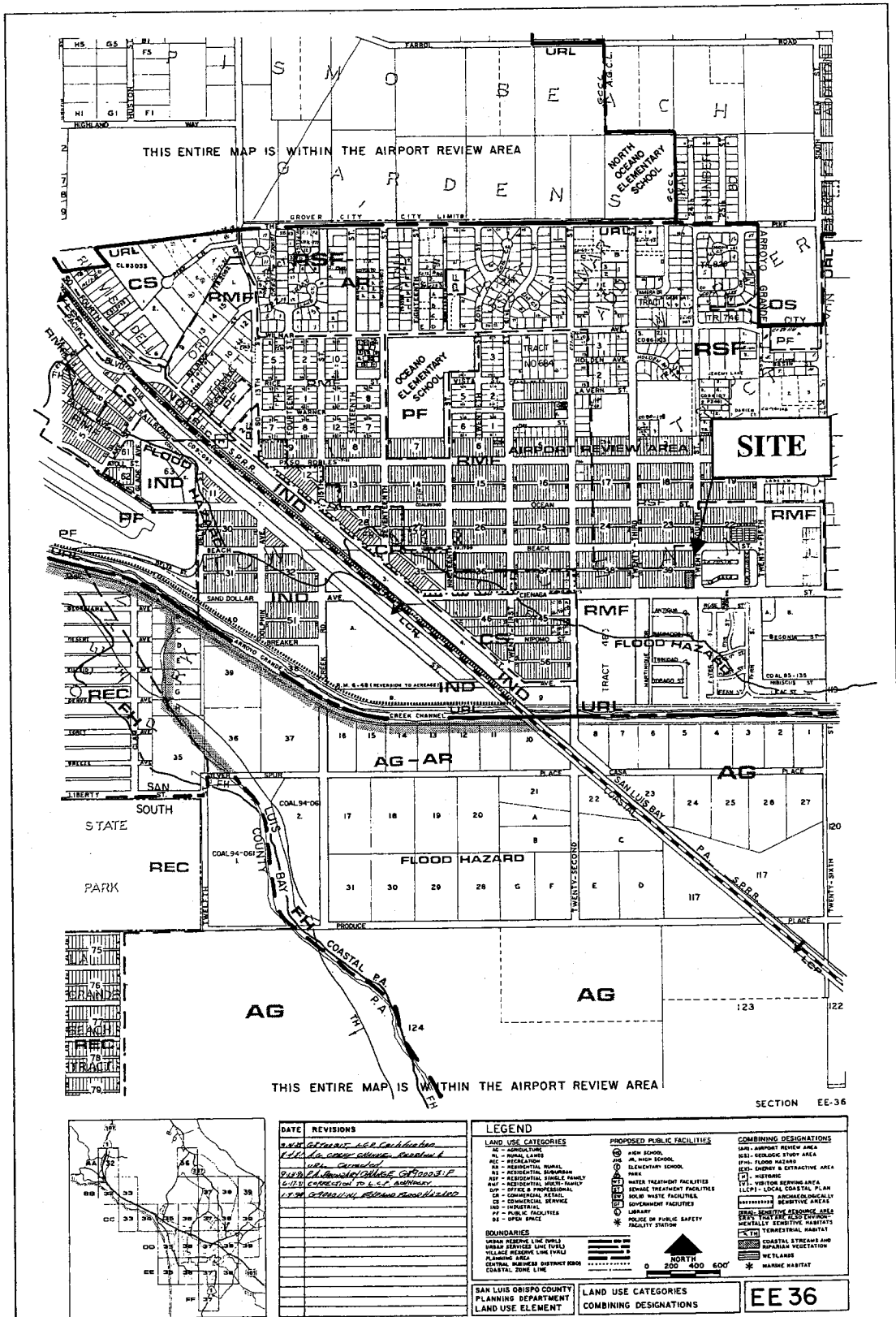
Source: USGS Quadrangle: Oceano



NORTH
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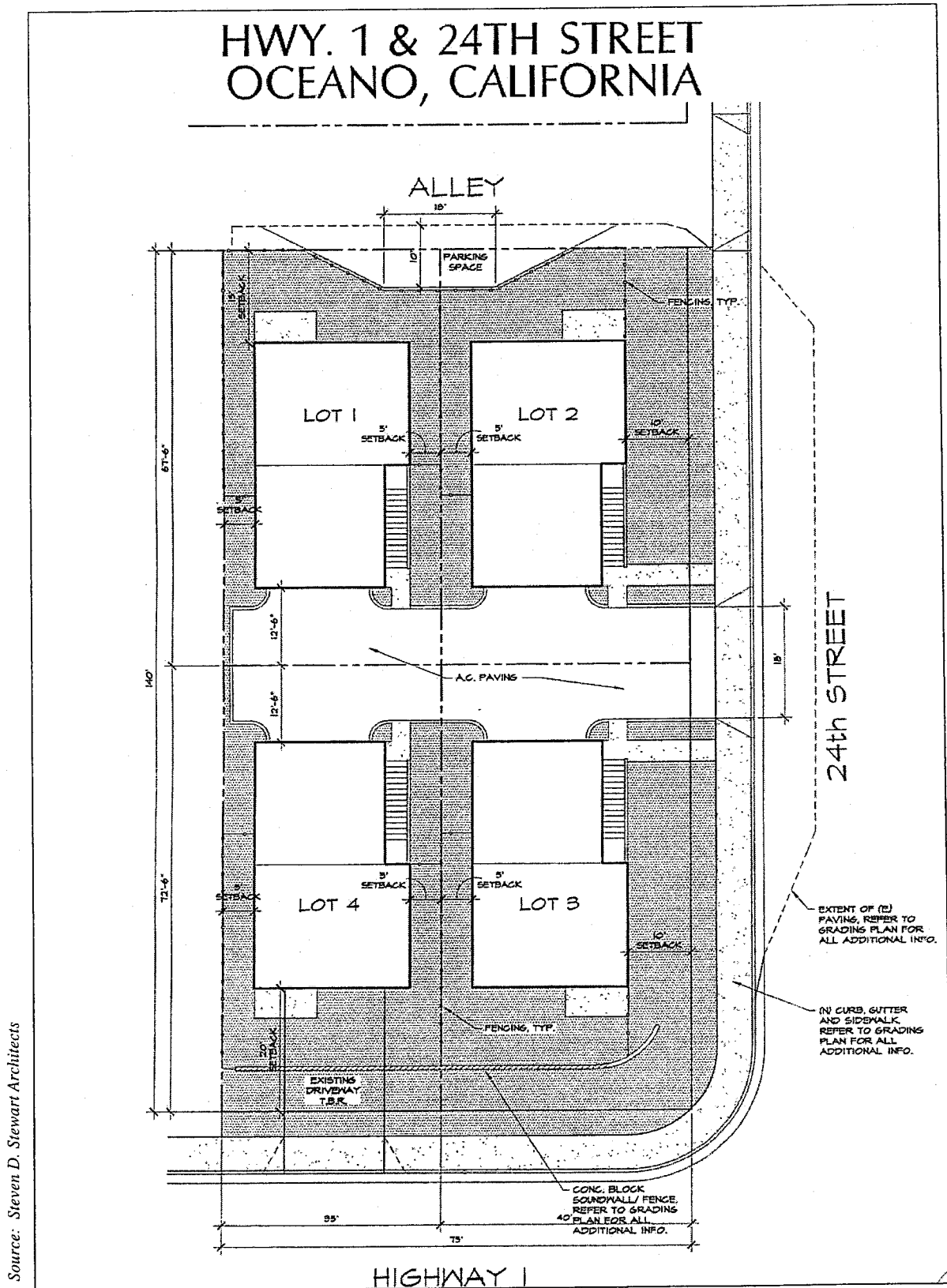
USGS LOCATION MAP
FIGURE 2

Source: County of San Luis Obispo



NORTH
Not to Scale

LAND USE CATEGORY
FIGURE 3

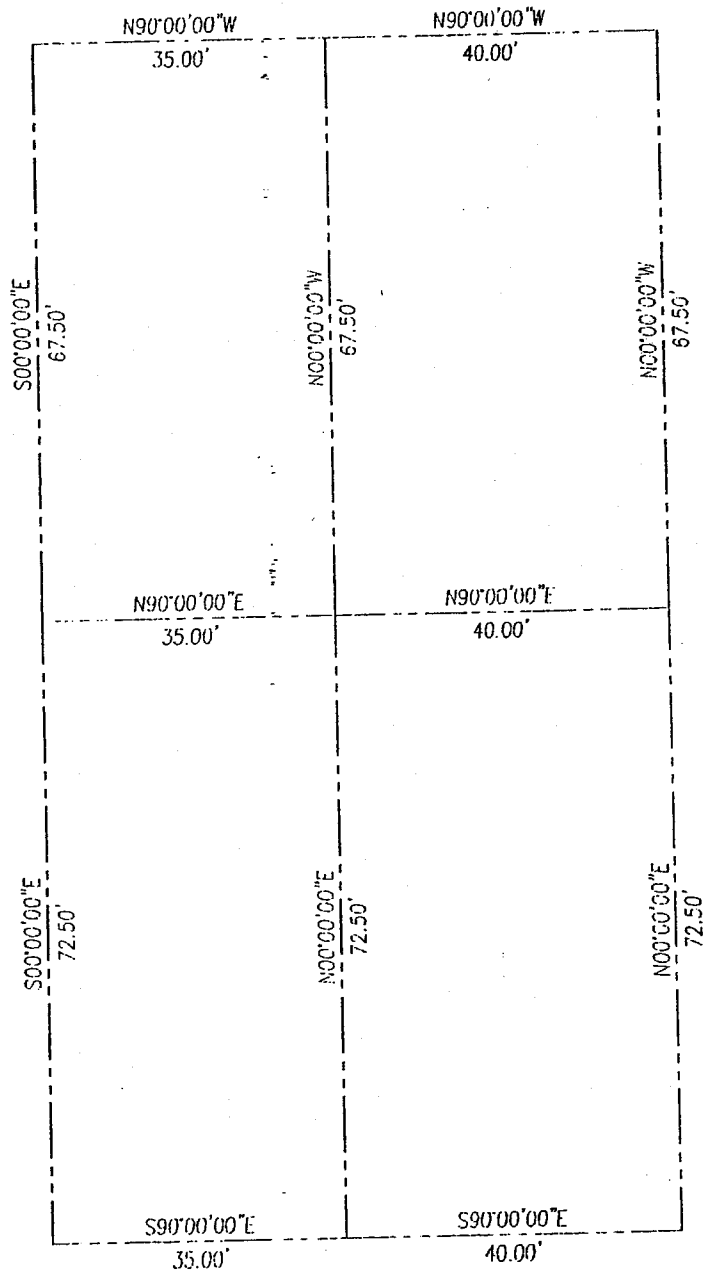


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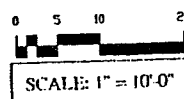
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**PARCEL MAP
FIGURE 4**

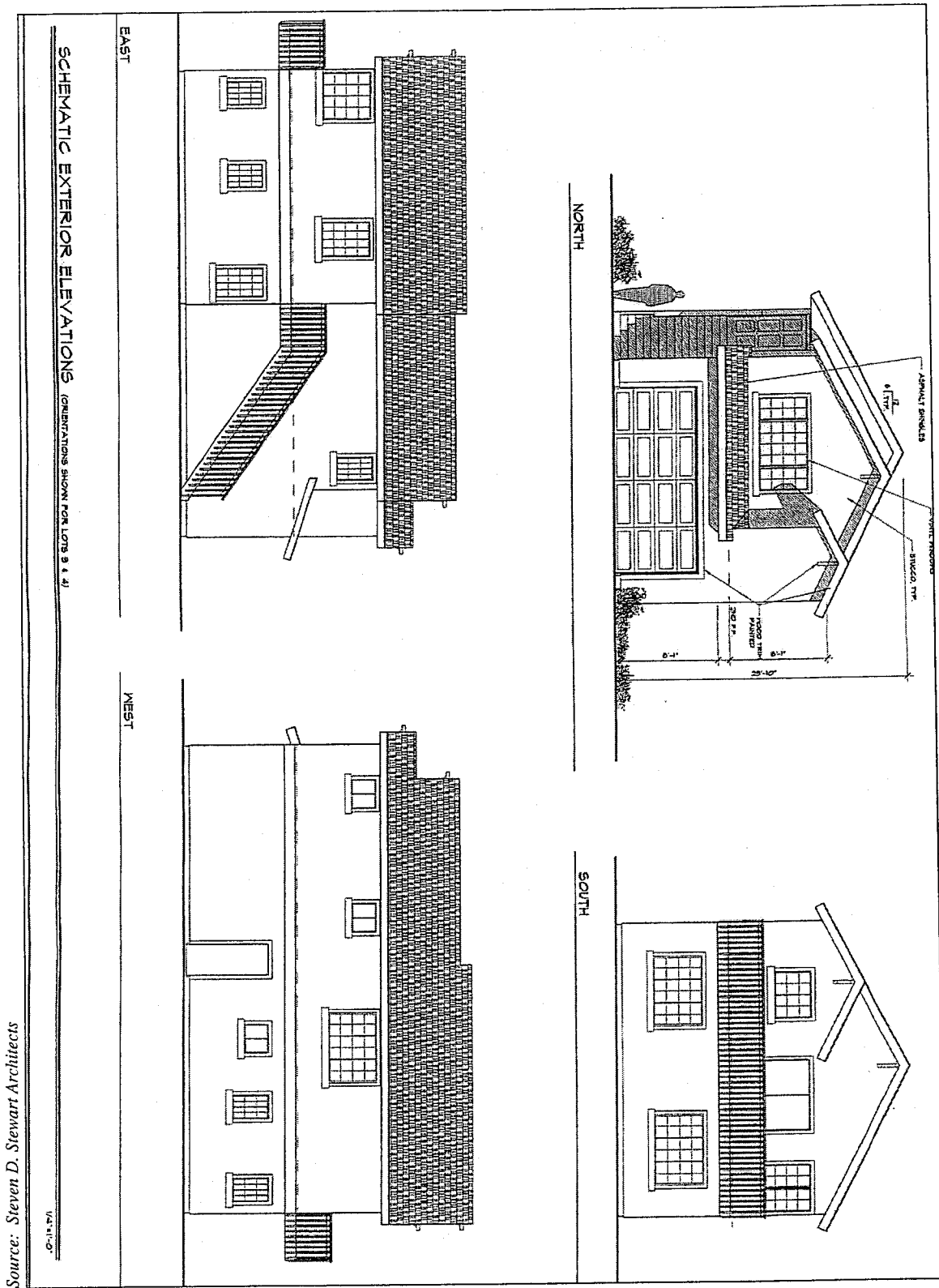
4-27



TENTATIVE PARCEL MAP



4-28



Source: Steven D. Stewart Architects

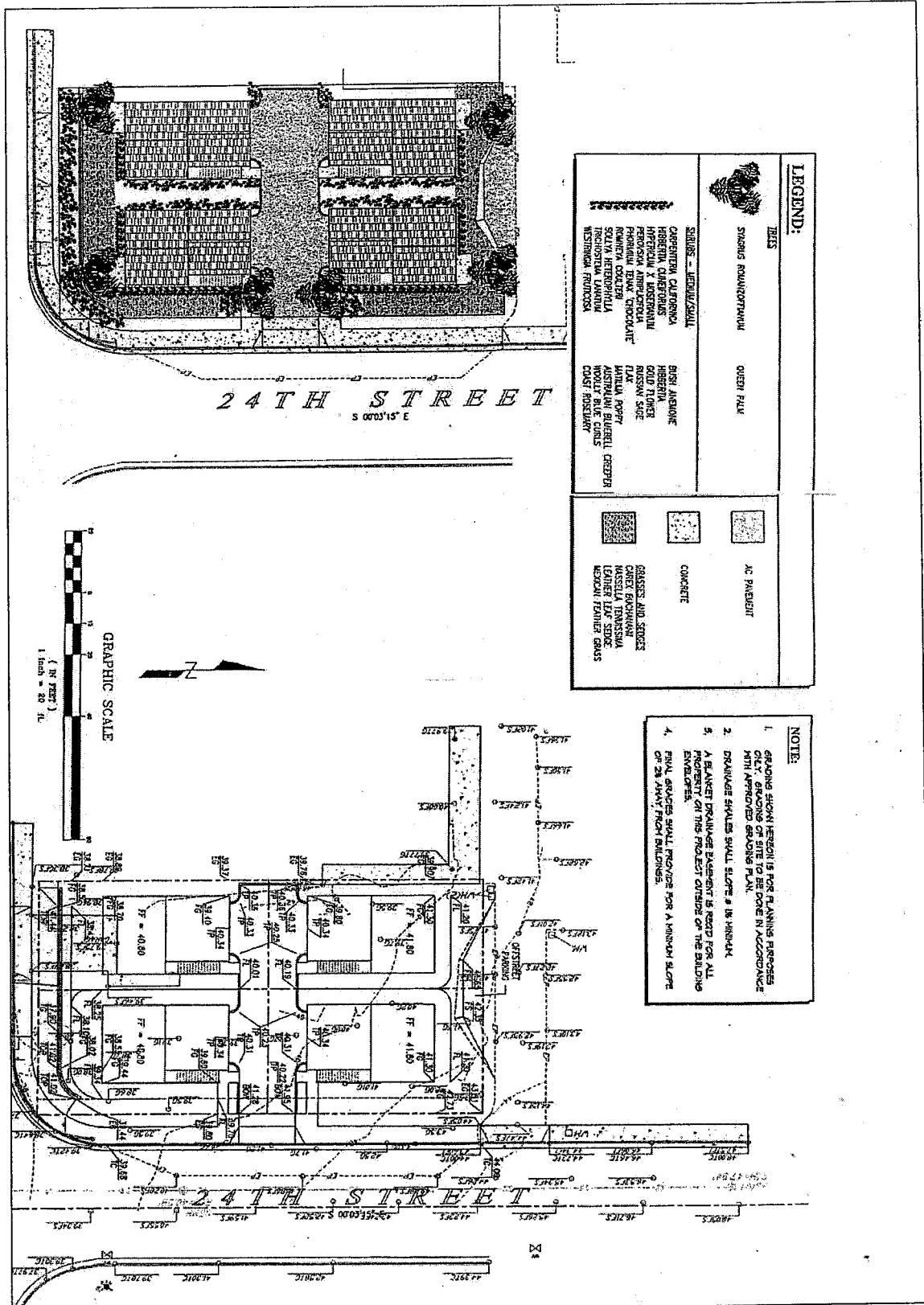
ELEVATIONS
FIGURE 5

4-29

Source: Steven D. Stewart Architects



Morro Group, Inc.



LANDSCAPE AND GRADING PLAN
FIGURE 6

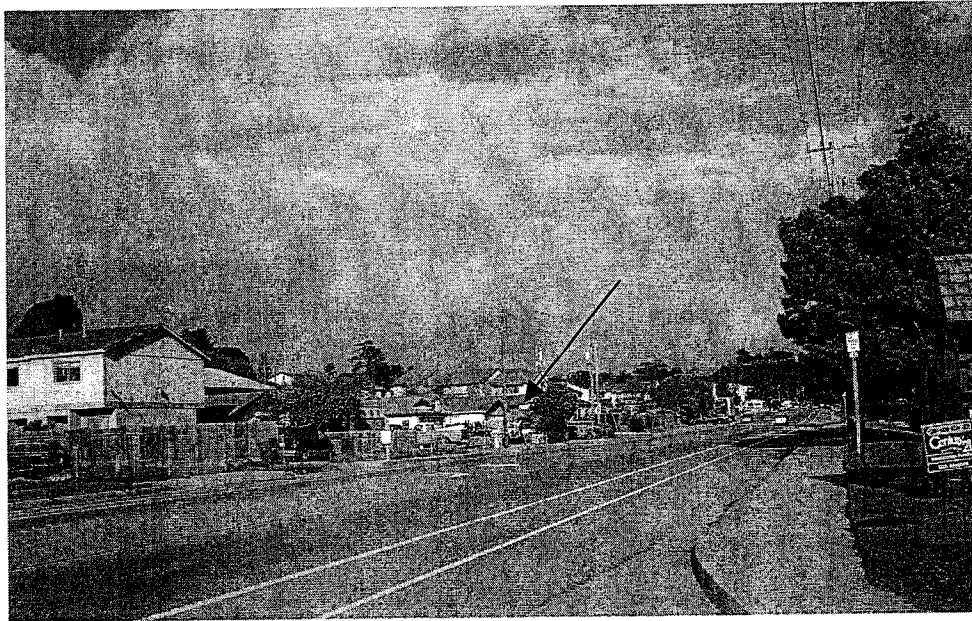


Photo 1:

Viewing east from
Cienaga Street.
Project site denoted
by arrow.

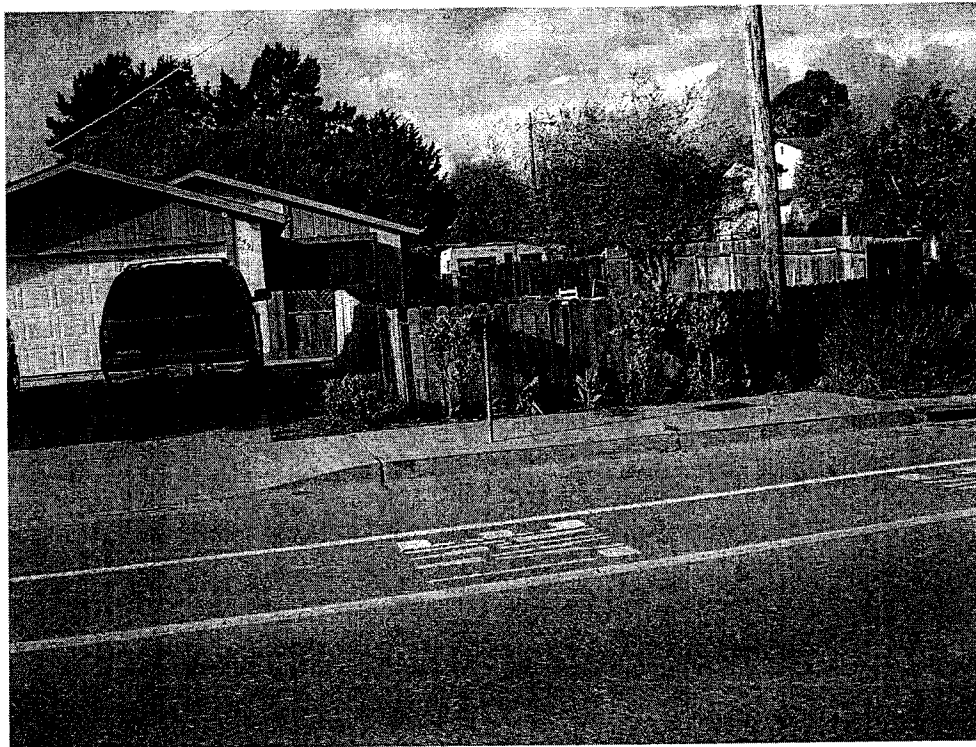


Photo 2:

Viewing north.
Existing single-
family residence and
associated
improvements would
be removed.

**PHOTO DOCUMENTATION
FIGURE 7**

4-31



COUNTY OF SAN LUIS OBISPO
MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

FOR OFFICIAL USE ONLY (BP/MG)

ENVIRONMENTAL DETERMINATION NO. ED004-203

DATE: June 9, 2005

PROJECT/ENTITLEMENT: Luce Parcel Map and Conditional Use Permit SUB2003-00219

APPLICANT NAME: Karen Luce

ADDRESS: 853 Naples St. Grover Beach, CA 93433

CONTACT PERSON: Same as applicant

Telephone: 805-423-3341

PROPOSED USES/INTENT: Request by Karen Luce to allow for 1) a planned development, 2) subdivision of two approximate 5,250 square foot parcels into four parcels of 2,625 square feet each, and 3) allow for the grading and construction of four townhomes and one on-site road, which will result in the disturbance of the entire 10,500 square foot project site.

LOCATION: The project is located at 2391 Cienega Street at the northeast corner of 24th Street and Highway 1, in the community of Oceano, in the San Luis Bay (Inland) planning area.

LEAD AGENCY: County of San Luis Obispo Department of Planning & Building
 County Government Center, Rm. 310
 San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: None Applicable

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT 5 p.m. on June 23, 2005

20-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County _____ as ☐ *Lead Agency*
☐ *Responsible Agency* approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
 County Government Center, Room 310, San Luis Obispo, CA 93408-2040

County of San Luis Obispo

Signature

Project Manager Name

Date

Public Agency

4-37
California Department of Fish and Game
CERTIFICATE OF FEE EXEMPTION
De Minimis Impact Finding

PROJECT TITLE & NUMBER: Luce; SUB2003-00219; ED04-203

Project Applicant

Karen Luce

Address: 853 Naples Street
City, State, Zip Code: Grover Beach CA, 93433
Telephone #: 805-423-3341

PROJECT DESCRIPTION/LOCATION: See attached Notice of Determination

FINDINGS OF EXEMPTION:

There is no evidence before this agency that the proposed project has the potential for adverse effect on wildlife resources for one or more of the following reason(s):

- (X) The project is located in an urbanized area that does not contain substantial fish or wildlife resources or their habitat.
- () The project is located in a highly disturbed area that does not contain substantial fish or wildlife resources or their habitat.
- () The project is of a limited size and scope and is not located in close proximity to significant wildlife habitat.
- () The applicable filing fees have/will be collected at the time of issuance of other County approvals for this project. Reference Document Name and No. _____.
- () Other: _____

CERTIFICATION:

I hereby certify that the lead agency has made the above findings of fact and that, based upon the initial study and the hearing record, the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

Ellen Carroll, Environmental Coordinator
County of San Luis Obispo

Date: _____

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**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

Project Title & No. Luce Parcel Map and CUP ED04-203; SUB2003-00219

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input checked="" type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Geology and Soils	<input checked="" type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input checked="" type="checkbox"/> Hazards/Hazardous Materials	<input checked="" type="checkbox"/> Transportation/Circulation
<input checked="" type="checkbox"/> Air Quality	<input checked="" type="checkbox"/> Noise	<input type="checkbox"/> Wastewater
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Water
<input checked="" type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Morro Group, Inc.
Prepared by (Print)

Shawna Scott
Signature

04/29/05
Date

John McKenzie
Reviewed by (Print)

John McKenzie
Signature

Ellen Carroll,
Environmental Coordinator
(for)

5/17/05
Date

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Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Request by Karen Luce for 1) a parcel map to subdivide two existing 5,250 square foot parcels into four parcels of 2,625 square feet each, and 2) a conditional use permit for the construction four townhomes. The project would result in the disturbance of the entire 10,500-square foot project site. The division will create one on-site road. The proposed project is within the Residential Multi-Family land use category and is located in the northwest corner of 24th Street and Cienega Street (2391 Cienega Street), in the community of Oceano. The site is in the San Luis Bay (Inland), Oceano planning area.

ASSESSOR PARCEL NUMBER(S): 062-123-023 & 024

SUPERVISORIAL DISTRICT # 4

B. EXISTING SETTING

PLANNING AREA: San Luis Bay-Inland (Oceano)

LAND USE CATEGORY: Residential Multi-Family

COMBINING DESIGNATION(S): Airport Review

EXISTING USES: Single family residence

TOPOGRAPHY: Nearly level

VEGETATION: Landscape trees, vegetation

PARCEL SIZE: 10,500 square feet

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Residential Single Family; Single-family residence	<i>East:</i> Residential Multi-Family; Townhouses
<i>South:</i> Residential Multi-Family; Mobile Home Park	<i>West:</i> Residential Multi-Family; Single-family residence

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C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY CHECKLIST**

1.	AESTHETICS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	<i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	<i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	<i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	<i>Create glare or night lighting which may affect surrounding areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	<i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	<i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project site is located at 2391 Cienega Street, northeast of the intersection of Cienega Street and 24th Street, in the community of Oceano. The project site and surrounding area can be characterized as nearly level to gently sloping topography developed with single-family residences to the north and west, townhouses to the east, and a mobile home park to the south of the project site (refer to Figures 1 through 3). Existing development on the project site consists of a single-family residence and associated site improvements, with existing site access from Cienega Street. A paved alleyway borders the northern property frontage.

Impact. The applicant is proposing to subdivide the project site into four lots and construct four detached townhomes, which would be accessed from 24th Street via a proposed shared access easement (refer to Figures 4 through 6). Exterior design features include framed windows, stucco walls with wood trim, outside decks and pitched rooflines. The applicant revised the project to include an additional window and trim elements on the eastern and western elevations to provide additional visual articulation. A landscape plan prepared for the project includes clustered shrubs along Cienega Street, turf areas, and palm trees to be located at the property corners and the project entrance. Curb, gutter and sidewalk improvements would connect to existing improvements along Cienega Street and extend the length of the 24th Street property frontage. In addition, the applicant is required to comply with Section 22.10.060, which requires that all exterior lighting be shielded to minimize glare and effects on night skies.

Mitigation/Conclusion. The proposed palm trees shall be replaced with medium to large canopy street trees similar to surrounding vegetation. Implementation of this measure would provide additional visual screening of the proposed project, consistent with surrounding development (refer to Exhibit B). Based on the above discussion and implementation of mitigation measures, visual impacts would be reduced to insignificance and no further measures are necessary.

2. AGRICULTURAL RESOURCES*- Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Conflict with existing zoning or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project site is located in the Residential Multi-Family land use category. The soil type and class for "non-irrigated" and "irrigated" soil, as described in the Natural Resource Conservation Service (NRCS) Soil Survey, is Mocho Variant fine sandy loam (non-irr: III, irr: III). Surrounding land uses include single and multi-family residential development. Based on the current land use designation, small parcel sizes, and lack of adjacent agricultural uses, no significant impacts would occur.

Mitigation/Conclusion. No impacts are anticipated and no mitigation measures are necessary.

3. AIR QUALITY - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project site is located within the South Central Coast Air Basin and is nearest to the Nipomo Ralco Way Air Quality Monitoring Station. Based on the latest air monitoring station information (per the County's RMS annual report, 2004), the trend in air quality in the general area is declining slightly, where unacceptable PM10 levels were exceeded in 2003 at the Nipomo monitoring station four times out of 60 monitoring days, which is up from the previous year (two exceedances).

The Air Pollution Control District (APCD) estimates that automobiles currently generate about 40% of the pollutants responsible for ozone formation. Nitrous oxides (NOx) and reactive organic gasses

(ROG) pollutants (vehicle emission components) are common contributors towards this chemical transformation into ozone. Dust, or particulate matter less than ten microns (PM10) that become airborne and which find their way into the lower atmosphere, can act as the catalyst in this chemical transformation to harmful ozone. In part, the land use controls currently in place for new development relating to ROG and NOx (i.e., application of the CEQA Air Quality Handbook) have helped reduce the formation of ozone.

Impact. The proposed project was referred to the County of San Luis Obispo Air Pollution Control District (APCD) for review and determination of any air quality impacts potentially resulting during both the construction and operational phases of the proposed project. APCD determined that based on the close proximity of nearby residences, potentially significant air quality impacts may occur during the construction phase if proper measures are not implemented (Melissa Guise; May 24, 2004). Air quality impacts during construction include the generation of construction dust, the potential release of asbestos, and particulate emissions resulting from the developmental burning of vegetative material.

Fugitive Dust (PM10). Implementation of the proposed project would result in the generation of dust, potentially affecting adjacent residences, resulting in a potentially significant air quality impact.

Asbestos. Asbestos is considered a toxic air contaminant by the State Air Resources Board. Asbestos-containing materials can be encountered during demolition of existing buildings and the removal or relocation of utility lines. In addition, if naturally occurring asbestos is present within the soil underlying the project site, future grading and site disturbance activities would release the asbestos into the air, resulting in a potentially significant air quality impact.

Developmental Burning. On February 5, 2000, the APCD prohibited developmental burning of vegetative material within San Luis Obispo County; however, in certain situations where no technically feasible alternative is available, limited burning may be allowed. Unregulated burning would result in a potentially significant air quality impact.

Mitigation/Conclusion.

Fugitive Dust (PM10). To minimize nuisance dust impacts, the applicant is required to implement APCD fugitive dust mitigation measures including the use of water trucks or sprinkler systems to water down airborne dust, revegetation of disturbed areas, limited vehicle speeds (15 miles/hour), the use of wheel washers where vehicles enter and exit unpaved roads onto streets, and the use of covers on all trucks transporting soil and material (refer to Exhibit B for a full list of mitigation measures).

Asbestos. The applicant is required to contact the APCD to identify requirements associated with building removal and the potential for presence of asbestos. Also, to ensure that naturally- occurring asbestos is not released into the air during grading and site disturbance activities associated with the proposed project, the applicant is required to conduct a geologic investigation to determine if asbestos is present, or provide a waiver of these requirements from the APCD. If asbestos is present, the applicant shall comply with the *State Air Resources Board Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations*. Compliance measures may include, but are not limited to, implementation of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program.

Developmental Burning. To minimize the effects of vegetative burning on regional air quality, the applicant has agreed to avoid burning, or if no alternative is available, the applicant shall obtain a burn permit from the APCD and County Fire/California Department of Forestry, and comply with all conditions required by these agencies.

Implementation of the measures listed above and in Exhibit B would mitigate potential air quality to less than significant.

4. BIOLOGICAL RESOURCES -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project site is located within an urban environment, surrounded by developed areas. Vegetation on the property includes landscape trees and turf grass. Although the Natural Diversity Database (2005) identified sensitive species (vernal pool fairy shrimp and California red legged frog) and habitat (Santa Barbara Vernal Pool) within close proximity of the proposed project, these species or habitat do not have potential to occur on the site. A single-family residence and associated improvements are located on the parcel. The project site does not support any sensitive native vegetation, significant wildlife habitats, or special status species; therefore, no significant biological impacts are expected to occur.

Mitigation/Conclusion. Based on the above discussion and absence of sensitive species or habitats, no impacts to biological resources are anticipated and no mitigation measures are necessary.

5. CULTURAL RESOURCES -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project site is located in an area historically occupied by the Obispeño Chumash. Prehistoric and historic cultural resources are known to exist in the project vicinity. No historic structures are present and no paleontological resources are known to exist in the area.

Impact. A *Cultural Resources Survey* (C.A. Singer; March 1, 2004) did not identify presence of cultural resources on the undeveloped portions of the project site or surrounding area. Due to limited visibility during the Phase I study, cultural resources may be present underneath landscaped vegetation and/or the existing residence proposed for demolition and removal.

Mitigation/Conclusion. In order to ensure no impacts to significant archeological resources occur, a qualified archaeologist shall conduct a surface survey immediately following removal of the existing residence and onsite vegetation. In the event that significant cultural resources are found, the archaeological monitor shall have the authority to halt work until such time as the resources have been evaluated and mitigated (refer to Exhibit B). Based on the above discussion and implementation of mitigation measures, impacts to cultural resources would be less than significant.

6. GEOLOGY AND SOILS -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a CA Dept. of Mines & Geology Earthquake Fault Zone (formerly Alquist Priolo)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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6. GEOLOGY AND SOILS - *Will the project:*

Potentially
SignificantImpact can
& will be
mitigatedInsignificant
ImpactNot
Applicablej) *Other* _____☐☐☐☐

Setting.

Geology. The topography of the project site is nearly level. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered low. The liquefaction potential during a ground-shaking event is considered moderate. No active faulting is known to exist on or near the subject property. The project is not within a known area containing serpentine or ultramafic rock or soils. No significant impacts are anticipated and no mitigation measures are necessary.

Drainage. The area proposed for development is outside the 100-year Flood Hazard designation. The closest creek (Arroyo Grande Creek) from the proposed development is approximately .20 miles to the south. As described in the NRCS Soil Survey, the soil is considered well drained. The alley to the north of the proposed project is a known flooding location as identified in the Oceano Specific Plan. For areas where drainage is identified as a potential issue, the LUO (Sec. 22.52.080) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: methods to increase groundwater recharge, constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff will have no more impacts than that caused by historic flows.

Sedimentation and Erosion. The soil type mapped for the project site is Mocho Variant fine sandy loam. As described in the NRCS Soil Survey, the soil surface is considered to have low to moderate erodibility, and low to moderate shrink-swell characteristics. Standard sedimentation and erosion measures required by ordinance would adequately mitigate impacts to a level of insignificance.

Impact. The proposed project would increase the impervious surface area adjacent to an area prone to flooding, potentially causing offsite drainage impacts. Preparation of a drainage plan and consideration of porous surfaces for the proposed access easement would ensure adequate retention of surface runoff.

Mitigation/Conclusion. The applicant has agreed to prepare a drainage plan per Section 22.52.080 and consider the use of porous paving material for the proposed access easement (refer to Exhibit B). Based on the above discussion and implementation of a drainage plan, no impacts are anticipated and no further measures are necessary.

7. HAZARDS & HAZARDOUS MATERIALS - *Will the project:*

Potentially
SignificantImpact can
& will be
mitigatedInsignificant
ImpactNot
Applicable

a) *Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?*

☐☐☒☐

b) *Interfere with an emergency response or evacuation plan?*

☐☐☒☐

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7. HAZARDS & HAZARDOUS MATERIALS - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) <i>Expose people to safety risk associated with airport flight pattern?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Create any other health hazard or potential hazard?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is not located in an area of known hazardous material contamination and does not propose the use of hazardous materials. The project site is located within a moderate severity risk area for fire. The proposed project was referred to the Oceano Community Services District (Philip Davis; May 24, 2004) for review, and no significant fire safety concerns were identified. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional evacuation plan. Asbestos may be present on the project site within the existing residence and/or underlying utilities and soils. The project site is within the Airport Review area for the Oceano Airport.

Impact. Asbestos may be released during demolition of the existing residence and disturbance of onsite soils. The proposed project was referred to the Oceano Airport manager and several conditions are required to ensure no incompatibilities with airport operations occur (Martin Pehl; June 2, 2004).

Mitigation/Conclusion. The project is required to comply with APCD measures regarding potential release of asbestos (refer to Section 3, Air Quality). The applicant has agreed to implement measures to reduce potential conflicts with the adjacent airport operations including an aviation easement, noise limits, non-reflective glass surfaces, and compliance with Federal Aviation regulations (refer to Exhibit B for full list of mitigation measures). Based on the above discussion and implementation of mitigation, no significant impacts are anticipated.

8. NOISE - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels which exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project includes the construction of four townhouses, two of which would be located adjacent to Cienega Street, a two-lane arterial road. According to the *County Noise Element*,

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the southern portion of the parcel adjacent to Cienega Street is within the 60 CNEL contour for exterior noise, which equals the energy average sound level during a 24-hour period (County of San Luis Obispo; May 1992). The project site is approximately ¾ of a mile from the mapped noise threshold of the Oceano County Airport and short bursts of sound from low flying planes do not cause exceedance of averaged noise thresholds. Exterior spaces cannot exceed 60 decibels (dB) and interior spaces are required to comply with noise limits of 45 dB.

Impact. A *Noise Survey, Noise Analysis, and Mitigation Recommendations* was prepared for the proposed project (David Lord; March 15, 2004). Existing noise levels at the Cienega Street property line are 61 dB, with future levels estimated at 63 dB. Outdoor activity areas along the southern side of the project site facing Cienega Street may be exposed to future noise levels above 60 Ldn unless adequate noise buffering is in place to reduce noise levels. Based on the noise report, a six-foot solid masonry wall or a three-foot high earthen berm noise barrier would achieve the desired reduction in outdoor noise levels and building specifications would be required for interior spaces on proposed Lot 3 and Lot 4 to meet the 45 dB limit. Presence of the buildings fronting Cienega Street would provide adequate noise buffering of Cienega Street noise for Lot 1 and Lot 2. Although the airport noise is not continuous and does not violate noise standards, the take-offs are sudden and momentarily loud, which is more disruptive than ambient background noise. The future residents may be impacted by exposure to severe noise or vibration from plane take-offs. The County Airport Manager recommended maximum interior noise limits of 45 dB.

Mitigation/Conclusion. In order to reduce future vehicle traffic noise levels, the applicant has agreed to install a three-foot tall, vegetated, earthen berm along the Cienega Street property frontage. Measures to reduce interior noise levels for Lot 3 and Lot 4 include vents and roof penetrations, wall and roof specifications, glazing of window and doors, and ventilation. In addition, maximum interior noise levels shall be limited to 45 dBA or less and all other provisions of the California Noise Insulation Standards shall be met with respect to aircraft and/or airport noise (refer to Section 7, Hazards and Hazardous Materials). Based on the above discussion and implementation of mitigation measures, no significant impacts are anticipated.

9. POPULATION/HOUSING -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. Implementation of the proposed parcel map and conditional use permit would result in the construction of four new residences in the community of Oceano within a residential-multi family

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zoned parcel. The project site is surrounded by residential development. Although the future development would displace the existing single-family residence and occupants, available housing resources are present in the area and the proposed project would create new housing opportunities. The project would not use a substantial amount of fuel or energy to construct and maintain. Title 18 of the County Code (Public Facilities Fees) requires that an affordable housing mitigation fee be imposed as a condition of approval of any new residential development project. No significant population and housing impacts are expected to occur as a result of the proposed parcel map.

Mitigation/Conclusion. Prior to map recordation, the applicant is required to pay an affordable housing mitigation fee of 3.5 percent of the adopted Public Facility Fee. This fee will not apply to any county-recognized affordable housing included within the project. No population or housing impacts are anticipated and no measures above what will be required by code are necessary.

10. PUBLIC SERVICES/UTILITIES - <i>Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Police protection (e.g., Sheriff, CHP)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Solid Wastes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The project area is served by the County Sheriff's Department and the Oceano Community Services District (OCSO) Fire Department as the primary emergency responders. The Oceano Fire station and closest Sheriff substation (South station) are approximately one mile from the proposed project site. The project is located in the Lucia Mar Unified School District. This proposed project, along with numerous others in the area would have a cumulative effect on police/sheriff and fire protection, and schools. Current regulations require that at least 50% of construction wastes be recycled and diverted from landfills.

Mitigation/Conclusion. Public facility (county) and school (State Government Code 65995 et seq) fee programs have been adopted to address cumulative impacts to public services and will reduce the impact to a level of insignificance. No mitigation measures are necessary.

11. RECREATION - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Increase the use or demand for parks or other recreation opportunities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

11. RECREATION - Will the project:

Potentially
Significant

Impact can
& will be
mitigated

Insignificant
Impact

Not
Applicable

b) *Affect the access to trails, parks or other recreation opportunities?*

☐
☐
☒
☐

c) *Other* _____

☐
☐
☐
☐

Setting/Impact. The County Trails Plan does not show a future trail on the proposed project site. The proposed project was referred to the County Parks Division for review. The Parks Division did not identify any project-specific potentially significant impacts. Implementation of the proposed tract map and build-out and occupation of four new residences would contribute to the cumulative demand for recreational resources in San Luis Obispo County.

Mitigation/Conclusion. In order to offset the cumulative demand for recreational resources, the applicant would be required to pay Quimby and Building Division fees (Jan DiLeo; July 6, 2004). No additional mitigation measures are necessary.

**12. TRANSPORTATION/
CIRCULATION - Will the project:**

Potentially
Significant

Impact can
& will be
mitigated

Insignificant
Impact

Not
Applicable

a) *Increase vehicle trips to local or areawide circulation system?*

☐
☐
☒
☐

b) *Reduce existing "Levels of Service" on public roadway(s)?*

☐
☐
☒
☐

c) *Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?*

☐
☐
☒
☐

d) *Provide for adequate emergency access?*

☐
☐
☒
☐

e) *Result in inadequate parking capacity?*

☐
☐
☐
☐

f) *Result in inadequate internal traffic circulation?*

☐
☐
☒
☐

g) *Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?*

☐
☐
☒
☐

h) *Result in a change in air traffic patterns that may result in substantial safety risks?*

☐
☐
☒
☐

i) *Other* _____

☐
☐
☐
☐

4-45

Setting. The proposed project would be accessed by 24th Street, north of Cienega Street/Highway 1. 24th Street is primarily used by landowners and occupants in the immediate area. Cienega Street experiences heavy tourist and recreational traffic in addition to local residential and business traffic. These roads are operating at acceptable levels of service.

Impact. Development of four townhomes is estimated to generate a total of forty (40) daily vehicle trips, or (10) daily vehicle trips per residence (Institute of Traffic Engineers). This small amount of additional traffic would not result in a significant change to the existing road service levels or traffic safety. The proposed project was referred to the County Public Works Department and the California Department of Transportation for review. These Departments did not respond with any traffic concerns. The proposed project was referred to the Oceano/Halcyon Advisory Council (June 21, 2004).

Mitigation/Conclusion. Based on the above discussion and road fee requirements, no significant cumulative impacts to transportation or circulation would occur. Curb, gutter and sidewalk improvements are included in the project and the applicant is required to pave 24th Street from the edge of existing pavement to the edge of curb, gutter and sidewalk located along the 24th Street property frontage. No additional mitigation measures are necessary.

13. WASTEWATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The existing residence is connected to the Oceano Community Services District (OCSD) for wastewater service. A Will-Serve letter provided for the proposed project by the OCSD indicated that wastewater service would continue to be available to serve the project site. The project is required to comply with all requirements of the OCSD letter (Philip T. Davis; May 24, 2004). The will serve letter is required to be submitted to County Environmental Health (Laurie Salo; June 2, 2004). No significant wastewater impacts are anticipated.

Mitigation/Conclusion. No significant wastewater impacts are anticipated and no mitigation measures are required.

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14. WATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any water quality standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Change the quantity or movement of available surface or ground water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Adversely affect community water service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact.

Surface Water. The project site is located in a residential neighborhood. Arroyo Grande Creek is located approximately .20 mile from the project site. No sources of surface water are present near the project site.

Water Usage. The existing residence on the project site is currently served by the OCSD. The District has adequate water resources to serve potential water needs within its boundaries and the OCSD has indicated that water service is available to serve the project site (Phillip T. Davis; May 24, 2004). Based on the project description, as shown below, a reasonable "worst case" indoor water usage would likely be about 3.4 acre feet/year (AFY)

$$4 \text{ residential lots (w/primary (0.85 afy))} \times 4 \text{ lots} = 3.4 \text{ afy}$$

Source: "City of Santa Barbara Water Demand Factor & Conservation Study "User Guide" (Aug., 1989).

Mitigation/Conclusion. No potentially significant water quantity or quality impacts were identified, therefore, no specific measures are necessary above what is required under the Uniform Plumbing Code. Standard drainage and erosion control measures required for construction of the residence provide sufficient measures to adequately protect surface water quality (refer to Section 6, Geology and Soils). No significant water impacts are anticipated and no mitigation measures are necessary.

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, San Luis Bay (Inland) Area Plan, Oceano Specific Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used). The proposed project site is within the Residential Multi-Family land use category. Referrals were sent to outside agencies to review for policy consistencies (e.g., OCSD, Public Works, Environmental Health, APCD, Oceano/Halcyon Advisory Council, County Airports Manager). The project is not within or adjacent to a Habitat Conservation Plan area. The proposed project is consistent or compatible with the surrounding uses because the parcel split and future construction of four townhomes would be consistent with the zoning for the project site and adjacent multi-family residential uses.

Mitigation/Conclusion. Agency recommendations have been added as mitigation measures where it is not already an ordinance requirement (refer to Air Quality, Hazards, Noise, Traffic, No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary).

16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project's, and the effects of probable future projects)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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- c) ***Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?***
- ☐ ☐ ☒ ☐

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ceqa/guidelines/" for information about the California Environmental Quality Act.

Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	Attached
<input checked="" type="checkbox"/>	County Environmental Health Division	Attached
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input checked="" type="checkbox"/>	County Airport Manager	Attached
<input checked="" type="checkbox"/>	Airport Land Use Commission	In File**
<input checked="" type="checkbox"/>	Air Pollution Control District	Attached
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input type="checkbox"/>	CA Department of Forestry	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Transportation	None
<input checked="" type="checkbox"/>	Oceano Community Service District	Attached
<input checked="" type="checkbox"/>	Other <u>County Parks</u>	Attached
<input checked="" type="checkbox"/>	Other <u>Oceano/Halcyon Advisory</u>	Attached

** "No comment" or "No concerns"-type responses are usually not attached

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input checked="" type="checkbox"/> San Luis Bay (Inland) Area Plan and Update EIR
<u>County documents</u>	<input type="checkbox"/> Circulation Study
<input checked="" type="checkbox"/> Airport Land Use Plans	<u>Other documents</u>
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input checked="" type="checkbox"/> Archaeological Resources Map
<input type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> Clean Air Plan
<input checked="" type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/> Land Use Ordinance	<input checked="" type="checkbox"/> Other <u>Oceano Specific Plan</u>
<input checked="" type="checkbox"/> Real Property Division Ordinance	
<input checked="" type="checkbox"/> Trails Plan	
<input type="checkbox"/> Solid Waste Management Plan	

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In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

Lord, David. March 15, 2004. *Noise Survey, Noise Analysis, and Mitigation Recommendations.*

Singer, C.A. March 1, 2004. *Cultural Resources Survey and Impact Assessment for a Residential Property at 2391 Cienega Street the Community of Oceano, San Luis Obispo, California [APN 062-123-023/024].*

Exhibit B - Mitigation Summary Table

Aesthetics

- V-1 Prior to recordation of final map,** the applicant shall submit a revised landscape plan. Planted street trees shall consist of medium to large canopy trees consistent with the surrounding environment. Trees shall be fast growing and evergreen. No palm trees are authorized. The landscape plan shall be implemented prior to final inspection.

Air Quality

- AQ-1 During construction/ground disturbing activities,** the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on all applicable plans prior to construction permit issuance: In addition, the contractor or builder should designate a person or persons to monitor the dust control program and to order increase watering, as necessary, to prevent transport of dust off site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons all be provided to the APCD prior to land use clearance of map recordation and land use clearance for finish grading of the structure.

- a. Reduce the amount of disturbed area where possible;
- b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency will be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- c. All dirt stock pile areas should be sprayed daily as needed;
- d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible;
- e. Building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- f. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114.
- g. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site; and,
- h. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

- AQ-2 Prior to authorization to proceed,** the applicant shall conduct a geologic investigation for naturally occurring asbestos on the project site or provide a waiver of this requirement from the APCD. If naturally occurring asbestos is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include, but are not limited to: 1) an Asbestos Dust Mitigation Plan which must be approved by the APCD before construction begins, and 2) an Asbestos Health and Safety Program may be required.

- AQ-3 Prior to site disturbance,** demolition activities included as part of this project will be subject to requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (NESHAP). These requirements include, but are not limited to; 1) notification requirements to the District, 2) asbestos survey conducted by a Certified Asbestos Inspector, and 3) applicable removal and disposal requirements of identified ACM. Please contact Tim Fuhs of the APCD Enforcement Division at (805) 781-5912.

AQ-4 Prior to developmental burning of vegetative material, the applicant shall apply for and obtain a burn permit from the APCD and County Fire/California Department of Forestry. The application requires the submittal of a technical feasibility study.

Cultural Resources

CR-1 Immediately following removal of the existing residence and vegetation and prior to any grading, a qualified archaeologist shall conduct a supplemental surface (Phase I) survey of these previously unsurveyed portions of the parcel. The archaeologist shall determine if additional testing/mitigation is necessary if significant resources are encountered, such as monitoring during construction and/or analyzing a sample of the resource, etc..

CR-2 In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:

- a. Construction activities shall cease, and the Environmental Coordinator and Department of Planning and Building shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
- b. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Environmental Coordinator and Department of Planning and Building so that proper disposition may be accomplished.

Geology and Soils

GS-1 Prior to issuance of construction permits, the applicant shall consider the use of porous paving materials for the shared access easement and a drainage plan shall be prepared for review and approval. The plan shall include the following:

- a. Flow lines of surface and subsurface waters onto and off the site;
- b. Existing and finished contours at two-foot intervals or other topographic information required by the County Engineer;
- c. Building pad, finished floor, and street elevations, existing and proposed;
- d. Location and graphic representation of all existing and proposed natural and man made drainage facilities for storage or conveyance of runoff including drainage swales, ditches, culverts and berms, sumps, sediment basins, channels, ponds, storm drains and drop inlets. Include detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be constructed with or as a part of the proposed work, together with a map showing the drainage area and hydraulic calculations showing the facilities flow carrying capacities and justifying the estimated runoff of the area served by any drain. Include design discharges and velocities for conveyance devices, and storage volumes of sumps, ponds, and sediment basins;
- e. Estimates of existing and increased runoff resulting from the proposed improvements and methods for reducing velocity of any increased runoff;
- f. Methods for enhancing groundwater recharge that have been incorporated into the project design or an explanation of non-necessity of groundwater recharge for this site; and,
- g. Proposed flood-proofing measures where determined necessary by the County Engineer.

Hazards/Hazardous Materials

HM-1 Prior to issuance of construction permits, in order to comply with Oceano Airport operations:

- a. An aviation easement shall be granted to the County;
- b. Maximum interior noise levels in structures shall be limited to 45 dB or less and other provisions of the California Noise Insulation Standards shall be met with respect to aircraft and/or airport noise;
- c. Non-reflective materials shall be used for external surfaces;
- d. No electronic transmissions that would interfere with aircraft operations;
- e. No uses that attract birds and create bird strike hazards,
- f. Permit shall require full compliance with Federal Aviation Regulation part 77, "Objects Affecting Navigable Airspace" including, if required, submittal of FAA Form 7460-1.
- g. All owners, potential purchasers, occupants (whether as owners or renters), and potential occupants (whether as owners or renters) shall receive full and accurate disclosure concerning the presence and operations of the Airport and any noise, safety, or over-flight impacts associated with airport operations prior to entering into any contractual obligation to purchase, lease rent, or otherwise occupy any property or properties.

Noise

N-1 Prior to issuance of construction permits, the following elements shall be shown for proposed Lot 3 and Lot 4:

- a. **Vents and roof penetrations:** Soffit vents, eave vents, dormer vents and other wall and roof penetrations shall be located on the walls and roofs facing east, north, and west, away from the noise source. If soffit or eave or dormer vents, doors, windows, skylights, or other roof or wall penetrations face south toward the noise source, they shall be acoustically rated and designed;
- b. **Walls and Roofs:** The south elevations of dwelling units nearest the noise source shall have wall, ceiling and roof construction with a Sound Transmission Class (STC) rating of 35 or greater. Common acoustic leaks, such as electrical outlets, pipes, vents, ducts, flues, and other breaks in the integrity of the south wall, ceiling or south-facing roof construction on the south side shall receive special attention during construction. All construction openings and joints on the walls on the south side of the site shall be insulated, sealed and caulked with a resilient, non-hardening caulking material. All such openings and joints shall be airtight to maintain sound isolation;
- c. **Glazing of Windows and Doors:** In order to meet interior L dn/C.N.E.L. 45 DBA requirements, south-facing glazing shall be of double-glazed construction and installed in accordance with the recommendations of the manufacturer. The south facing windows shall be fully gasketed, with an STC rating of 30 or better, as determined in testing by an accredited acoustical laboratory. One pane shall be laminated glass;
- d. **Ventilation:** On the noise-exposed side of the dwellings, the interior noise levels with the windows open would exceed the recommended CNEL 45 dB level for residences. In order to achieve quiet conditions during noisy periods, all operable windows, skylights and doors on the south side of the residences may be shut.

N-2 Prior to final inspection, a three-foot tall earthen berm shall be constructed along the Cienega Street property frontage. The berm shall be stabilized with native, drought-tolerant vegetation prior to final inspection.

N-3 Prior to final inspection, a noise-level assessment shall be conducted to verify acceptable interior and exterior noise levels have been met by implementation of N-1 and N-2, and as required by HM-1.

**DEVELOPER'S STATEMENT FOR THE
LUCE PARCEL MAP AND CUP; SUB2003-00219**

The applicant agrees to incorporate the following measures into the project. These measures become a part to the project description and therefore become a part of the record of action upon which the environmental determination is based. All construction/grading activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

AESTHETICS

- V-1** Prior to recordation of final map, the applicant shall submit a revised landscape plan. Planted street trees shall consist of medium to large canopy trees consistent with the surrounding environment. Trees shall be fast growing and evergreen. No palm trees are authorized. The landscape plan shall be implemented prior to final inspection.

Monitoring: The Department of Planning and Building shall verify compliance. The Department of Planning and Building shall review and approve landscape plan..

AIR QUALITY

AQ-1 During construction/ground disturbing activities, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on all applicable plans prior to construction permit issuance. In addition, the contractor or builder should designate a person or persons to monitor the dust control program and to order increase watering, as necessary, to prevent transport of dust off site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons all be provided to the APCD prior to land use clearance of map recordation and land use clearance for finish grading of the structure.

- a. Reduce the amount of the disturbed area where possible.
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible.
- c. All dirt stockpile areas should be sprayed daily as needed.
- d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible.

- e. Building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- f. All trucks hauling dirt, sand, or other loose materials are to be covered or should maintain at least two feet of free board (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
- g. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
- h. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

Monitoring: Compliance will be verified by the Department of Planning and Building. The Department of Planning and Building shall verify implementation of dust control measures.

AQ-2 Prior to authorization to proceed, the applicant shall conduct a geologic investigation for naturally occurring asbestos on the project site or provide a waiver of this requirement from the APCD. If naturally occurring asbestos is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include, but are not limited to: 1) an Asbestos Dust Mitigation Plan which must be approved by the APCD before construction begins, and 2) an Asbestos Health and Safety Program may be required.

Monitoring: Compliance will be verified by the Department of Planning and Building. The Department of Planning and Building in consultation with APCD shall verify required asbestos measures.

AQ-3 Prior to site disturbance, demolition activities included as part of this project will be subject to requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (NESHAP). These requirements include, but are not limited to; 1) notification requirements to the District, 2) asbestos survey conducted by a Certified Asbestos Inspector, and 3) applicable removal and disposal requirements of identified ACM. Please contact Tim Fuhs of the APCD Enforcement Division at (805) 781-5912.

Monitoring: Compliance will be verified by the Department of Planning and Building. The Department of Planning and Building in consultation with the APCD shall verify implementation of asbestos requirements.

Environmental Determination ED04-203

Date: May 18, 2005

AQ-3 Prior to developmental burning of vegetative material, the applicant shall apply for and obtain a burn permit from the APCD and the Oceano Fire Department. The application requires the submittal of a technical feasibility study.

Monitoring: Compliance will be verified by the Department of Planning and Building. The Department of Planning and Building shall verify receipt of burn permit.

CULTURAL RESOURCES

CR-1 Immediately following removal of the existing residence and vegetation and prior to any grading, a qualified archaeologist shall conduct a supplemental surface (Phase I) survey of these previously unsurveyed portions of the parcel. The archaeologist shall determine if additional testing/mitigation is necessary if resources are encountered, such as monitoring during construction and/or analyzing a sample of the resource, etc.

Monitoring: Compliance will be verified by the Department of Planning and Building. The Department of Planning and Building shall verify results of the surface survey and any additional required testing and/or mitigation.

CR-2 In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:

- 1) Construction activities shall cease, and the Environmental Coordinator and Department of Planning and Building shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
- 2) In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Environmental Coordinator and Department of Planning and Building so that proper disposition may be accomplished.

Monitoring: Compliance will be verified by the Department of Planning and Building. The Department of Planning and Building shall be notified in the event of cultural discovery.

GEOLOGY AND SOILS

GS-1 Prior to issuance of construction permits, the applicant shall consider the use of porous paving materials for the shared access easement and a drainage plan shall be prepared for review and approval. The plan shall include the following:

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Date: May 18, 2005

- a. Flow lines of surface and subsurface waters onto and off the site;
- b. Existing and finished contours at two-foot intervals or other topographic information required by the County Engineer;
- c. Building pad, finished floor, and street elevations, existing and proposed;
- d. Location and graphic representation of all existing and proposed natural and man made drainage facilities for storage or conveyance of runoff including drainage swales, ditches, culverts and berms, sumps, sediment basins, channels, ponds, storm drains and drop inlets. Include detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be constructed with or as a part of the proposed work, together with a map showing the drainage area and hydraulic calculations showing the facilities flow carrying capacities and justifying the estimated runoff of the area served by any drain. Include design discharges and velocities for conveyance devices, and storage volumes of sumps, ponds, and sediment basins;
- e. Estimates of existing and increased runoff resulting from the proposed improvements and methods for reducing velocity of any increased runoff;
- f. Methods for enhancing groundwater recharge that have been incorporated into the project design or an explanation of non-necessity of groundwater recharge for this site; and,
- g. Proposed flood-proofing measures where determined necessary by the County Engineer.

Monitoring: The Department of Planning and Building shall review and approve the drainage plan.

HAZARDS/HAZARDOUS MATERIALS

HM-1 Prior to issuance of construction permits, due to the project's proximity to the Oceano Airport,

- a. An aviation easement shall be granted to the County;
- b. Maximum interior noise levels in structures shall be limited to 45 dB or less and other provisions of the California Noise Insulation Standards shall be met with respect to aircraft and/or airport noise;
- c. Non-reflective materials shall be used for external surfaces;
- d. No electronic transmissions that would interfere with aircraft operations;
- e. No uses that attract birds and create bird strike hazards,
- f. Permit shall require full compliance with Federal Aviation Regulation part 77, "Objects Affecting Navigable Airspace" including, if required, submittal of FAA Form 7460-1.
- g. All owners, potential purchasers, occupants (whether as owners or renters), and potential occupants (whether as owners or renters) shall receive full and accurate disclosure concerning the presence and operations of the Airport and any noise, safety, or over-flight impacts associated with airport operations prior to entering into any contractual obligation to purchase, lease rent, or otherwise occupy any

Environmental Determination ED04-203

Date: May 18, 2005

property or properties.

Monitoring: The Department of Planning and Building shall verify compliance with required Airport measures.

NOISE

N-1 Prior to issuance of construction permits, the following elements shall be shown for proposed Lot 3 and Lot 4.

- a. **Vents and roof penetrations:** Soffit vents, eave vents, dormer vents and other wall and roof penetrations shall be located on the walls and roofs facing east, north, and west, away from the noise source. If soffit or eave or dormer vents, doors, windows, skylights, or other roof or wall penetrations face south toward the noise source, they shall be acoustically rated and designed;
- b. **Walls and Roofs:** The south elevations of dwelling units nearest the noise source shall have wall, ceiling and roof construction with a Sound Transmission Class (STC) rating of 35 or greater. Common acoustic leaks, such as electrical outlets, pipes, vents, ducts, flues, and other breaks in the integrity of the south wall, ceiling or south-facing roof construction on the south side shall receive special attention during construction. All construction openings and joints on the walls on the south side of the site shall be insulated, sealed and caulked with a resilient, non-hardening caulking material. All such openings and joints shall be airtight to maintain sound isolation;
- c. **Glazing of Windows and Doors:** In order to meet interior L dn/C.N.E.L. 45 DBA requirements, south-facing glazing shall be of double-glazed construction and installed in accordance with the recommendations of the manufacturer. The south facing windows shall be fully gasketed, with an STC rating of 30 or better, as determined in testing by an accredited acoustical laboratory. One pane shall be laminated glass;
- d. **Ventilation:** On the noise-exposed side of the dwellings, the interior noise levels with the windows open would exceed the recommended CNEL 45 dB level for residences. In order to achieve quiet conditions during noisy periods, all operable windows, skylights and doors on the south side of the residences may be shut.

Monitoring: The Department of Planning and Building shall verify implementation of noise measures.

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Environmental Determination ED04-203

Date: May 18, 2005

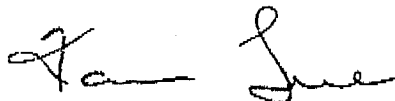
- N-2** Prior to final inspection, a three-foot tall earthen berm shall be constructed along the Cienega Street property frontage. The berm shall be stabilized with native, drought-tolerant vegetation prior to final inspection.

Monitoring: The Department of Planning and Building shall verify installation of earthen berm.

- N-3** Prior to final inspection, a noise-level assessment shall be conducted to verify acceptable interior and exterior noise levels have been met by implementation of N-1 and N-2, and as required by HM-1.

Monitoring: The Department of Planning and Building shall verify noise assessment results.

The applicant understands that any changes made to the project subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.



Signature of Owner(s)

5/20/05

Date

KAREN LUCE

Name (Print)



4-60 SA LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

MAY 19 2004

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 5/19

FROM

PW

FROM
70

South Co. Team
(Please direct response to the above)

LUCE, KAREN

SUB 2003-00219(PM)
Project Name and Number

CO 04-0246

Development Review Section (Phone: 781- 788-2009 Taryn)

PROJECT DESCRIPTION: 4 unit PUD. Parcel w/ concurrent dev. (off Cienega St. in Oceano.)

APN: 062-123-023 & 024

Return this letter with your comments attached no later than: 6/2/2004

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

YES (Please go on to Part II)
NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

? NO (Please go on to Part III)
YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

No Title Report, Tentative Map incomplete, this is a PUD - needs common use area, nothing in site plan includes common use area. What is correct map number? - Tentative map state CO 03-0450, this is already used for a different project.

24 June 2004
Date

Gordon
Name

5252
Phone

4-61
EXHIBIT B

CONDITIONS OF APPROVAL FOR CD 04-0246, LUCE

Approved Project

This approval authorizes the division of a _____ acre parcel into _____ parcels of _____ acres / square feet each.

Access and Improvements



Roads and/or streets to be constructed to the following standards:

a. _____ constructed to a _____ section within a _____ foot dedicated right-of-way.

b. 24th Street AND HWY 1 widened to complete a A-2 section fronting the property.

c. _____ constructed to a _____ section from the property to _____ (minimum paved width to be _____ feet).



The applicant offer for dedication to the public by certificate on the map or by separate document:

a. For future road improvement _____ feet along _____ to be described as _____ feet from the recorded centerline.

b. For future road improvement _____ feet along _____ to be described as _____.

c. For road widening purposes _____ feet along _____ to be described as _____ feet from the recorded centerline.

d. The _____ foot road easement as shown on the tentative parcel map with a _____ foot radius property line return at the intersection of _____.

e. A 20 foot radius property line return at the intersection of 24th Street & HWY 1.

f. The _____ foot road easement terminating in a county cul-de-sac as shown on the tentative map.

- 4-67**
- ☐ The intersection of _____ and _____
be designed in accordance with California Highway Design Manual.
- ☒ Access be denied to lots 3 & 4 from HWY 1
and that this be by certificate and designation on the map.
- ☐ The future alignment of _____ shall be
shown on the map as reserved for future public right-of-way.
- ☒ A private easement be reserved on the map for access to lots 1, 2, 3 & 4.
- ☐ A practical plan and profile for access to lots _____ be submitted
to the Department of Public Works and the Department of Planning and Building for
approval.
- ☒ All grading shall be done in accordance with Appendix 33 of the Uniform Building Code.
All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

Improvement Plans

- ☒ Improvement plans shall be prepared in accordance with San Luis Obispo County
Improvement Standards and Specifications by a Registered Civil Engineer and submitted
to the Department of Public Works and the county Health Department for approval. The
plan is to include:
- ☒ a. Street plan and profile.
 - ☒ b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - ☒ c. Water plan (County Health).
 - ☒ d. Sewer plan (County Health).
 - ☒ e. Grading and erosion control plan for subdivision related improvement locations.
 - ☒ f. Public utility plan, showing all existing utilities and installation of all utilities to serve
every lot.
 - g. Tree removal/retention plan for trees to be removed and retained associated with
the required improvement for the land division to be approved jointly with the
Department of Planning and Building.
 - h. Trail plan, to be approved jointly with the Park Division.
- ☒ The applicant shall enter into an agreement with the county for the cost of checking the
map, the improvement plans if any, and the cost of inspection of any such improvements
by the county or its designated representative. The applicant shall also provide the county
with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish
construction phase services, Record Drawings and to certify the final product to the
Department of Public Works.
- ☒ The Registered Civil Engineer, upon completion of the improvements, must certify to the
Department of Public Works that the improvements are made in accordance with all
conditions of approval, including any related land use permit conditions and the approved
improvement plans. All public improvements shall be completed prior to occupancy of any
new structure.
- ☐ If environmental permits from the Army Corps of Engineers or the California Department
of Fish and Game are required for any public improvements that are to be maintained by
the County, the applicant or his engineer, prior to the approval of the plans by the
Department of Public Works shall:
- a. Submit a copy of all such permits to the Department of Public Works OR
 - b. Document that the regulatory agencies have determined that said permit is not
longer required.

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Drainage

- ☒ _____ is not capable of carrying additional runoff. Construct off-site drainage facilities for an adequate outlet, or provide evidence of adequate drainage easements.
- ☐ The existing drainage swale(s) to be contained in drainage easement(s) dedicated on the map.
- ☒ Submit complete drainage calculations to the Department of Public Works for review and approval.
- ☒ If calculations so indicate, drainage must be **retained/detained** in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.
- ☒ If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
- granted to the public in fee free of any encumbrance.
 - ☒ offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.
 - reserved as a drainage easement in favor of the owners and assigns.
- ☐ If a drainage basin is required, a zone of benefit be formed within _____ for maintenance of the drainage basin. Application to be filed with the The Department of Public Works Administrator.
- ☐ If a drainage basin is required, this development be annexed to _____ for maintenance of the drainage basin. Evidence of acceptance to be filed with the Department of Public Works.
- ☒ The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program. *Provide WQID # to County*

Wastewater Disposal

- ☐ Prior to the filing of the final parcel or tract map, the applicant shall submit to and be jointly approved by the county Department of Planning and Building and Health Department, results of percolation tests and the log or logs of soil borings performed by a registered civil engineer. For this purpose, the applicant shall perform one or more soil borings to be a minimum depth of ten (10) feet in the area of the appropriate area of the proposed sewage disposal system to determine the: a) subsurface soil conditions, (example: impermeable strata which act as barriers to the effective percolation of sewage); b) presence of groundwater; c) separation between sewage disposal saturation areas and groundwater; d) borings shall be as deep as necessary below the proposed on-site disposal area to assure required separation. The applicant must perform a minimum of three (3) percolation test holes, to be spaced uniformly in the area of the proposed sewage disposal system. (Parcel(s) _____, only).
- ☐ A community septic system shall be installed with a centralized leaching area and shall have a 100% or greater additional expansion area. The area for the community septic tank system and disposal area shall **be granted in fee on the map to the appropriate maintenance agency for maintenance with the right of ingress and egress / shall be kept as open space within easement for sewage treatment purposes granted to a homeowner's association.** Impervious paving over a disposal area is not considered acceptable.

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- ☐ A long term community septic tank and disposal area maintenance plan be submitted to the the Department of Public Works and Health Department and the Regional Water Quality Control Board for review prior to the filing of the final parcel or tract map.
- ☐ The community sewage system shall be designed by a Registered Civil Engineer and operated in accordance with county, state, federal and maintenance entity laws, standards and requirements. A waste discharge permit, if required, shall be issued by the Central Coast State Regional Water Quality Control Board prior to the filing of the final parcel or tract map.
- ☐ This land division shall be annexed to _____ prior to the filing of the final parcel or tract map for **water service/water and sewer service/sewer maintenance/community septic system maintenance/**_____.

Soils Report

- ☐ A final soils report by a Registered Civil Engineer be submitted for review prior to the final inspection of the improvements.
- ☒ Three (3) copies of a Preliminary Soils Report prepared by a Registered Civil Engineer in accordance with Sections 17953, 17954, 17955 of the California Health and Safety Code shall be submitted to the Public Works, Health and Planning and Building Departments prior to the filing of the final parcel or tract map. The date and person who prepared the report are to be noted on the map.

Utilities

- ☒ Electric and telephone lines shall be installed ~~overhead~~ **underground**.
- ☒ Cable T.V. conduits shall be installed in the street.
- ☒ Gas lines shall be installed.
- ☐ A _____ feet public utility easement on private property along _____, plus those additional easements required by the utility company, be shown on the final parcel or tract map.

Design

- ☐ The lots shall be numbered in sequence.
- ☐ The _____ on lot _____ be removed or brought into conformance with the **Land Use Ordinance / Coastal Zone Land Use Ordinance** prior to filing the final parcel or tract map. A demolition permit may be required.
- ☐ The lot area of _____ shall contain a minimum area of _____ exclusive of area shown for rights of way and any easement that limits the surface use for building construction (Section 22/23.04.021).

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- ☐ The applicant shall apply to the Department of Planning and Building for approval of new street names prior to the filing of the final parcel or tract map. Approved street names shall be shown on the final parcel or tract map.

Vector Control and Solid Waste

- ☒ A determination of method of pick-up shall be specified by the waste handler and if centralized facilities for the pick-up are required, provisions shall be made within the project for central facilities that meet **Land Use Ordinance / Coastal Zone Land Use Ordinance** requirements for trash enclosures. If centralized facilities are established, this shall include provisions for recycling if service is available or subsequent installation of such facilities if recycling service becomes available in the future.

Fire Protection

- ☐ Provide minimum fire flow of _____ gallons per minute as per nationally recognized standard. Fire flows to be maintained for a minimum two-hour duration.
- ☐ The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map.
- ☐ Designate a fire lane within all the driveway areas. This lane to be minimum width of twenty (20) feet. (USE FOR MULTI-FAMILY/COMMERCIAL PROJECTS ONLY)

Parks and Recreation (Quimby) Fees

- ☐ Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total **number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them / or the number of dwelling units proposed in the case of a condominium, stock cooperative, or community apartment project.**
- ☐ For subdivisions of less than five parcels that are not to be used for residential purposes, if a building permit is requested for construction of a residential structure or structures on one or more of the parcels created by this subdivision within four years of recordation of the map, the Quimby Ordinance fee specified in the county fee schedule shall be paid by the owner of each parcel as a condition for the issuance of such permit.

Affordable Housing Fee

- ☐ Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing in-lieu fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

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Easements

- ☐ The property owner shall grant an avigation easement to the county of San Luis Obispo. The avigation easement document shall be prepared, reviewed and approved by County Counsel prior to filing of the final parcel or tract map.
- ☐ An open space easement be recorded for the open space parcel(s). It is to be held ***in single ownership / in common by the Homeowner's Association / or transferred to a public trust or conservancy agency approved by the Department of Planning and Building***. The open space parcel is to be maintained as such in perpetuity.

Landscape Plans

- ☐ ***If a drainage basin*** is required, then submit detailed landscaping plans in compliance with Section 22/23.04.180 et seq. to the Department of Planning and Building for review and approval prior to filing of the final parcel or tract map. Said plans to include location, species, size, and method of maintenance of all proposed plant materials. All proposed plant materials shall be of a drought tolerant variety and be sized to provide a mature appearance within three years of installation. Plan to include:
 - a. Drainage basin fencing. ***(ONLY USE IF THE DRAINAGE BASIN HAS A DEPTH OF 2 FEET OR GREATER AS MEASURED FROM THE TOP OF THE RIM TO THE LOWEST PORTION OF THE BASIN)***
 - b. Drainage basin perimeter landscape screening. ***(ONLY USE FOR FENCED BASINS)***
 - c. Landscaping for erosion control.
- ☐ All approved landscaping shall be installed or bonded for prior to filing of the final parcel or tract map and thereafter maintained in a viable condition on a continuing basis. If bonded for, landscaping shall be installed within _____ days of completion of the improvements.

Mitigations ***PUT ANY MITIGATIONS FROM DEVELOPER STATEMENT HERE ONLY IF THEY CAN BE COMPLETED PRIOR TO THE RECORDATION OF THE MAP***

- ☐ _____
- ☐ _____

Additional Map Sheet

- ☐ The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:

CHOOSE APPLICABLE PROVISIONS

- a. That the owner(s) of lot(s) _____ is responsible for on-going maintenance of drainage basin fencing in perpetuity.
- b. That the owner(s) of lot(s) _____ is responsible for on-going maintenance of ***drainage basin / adjacent*** landscaping in a viable condition on a continuing basis into perpetuity.
- c. That secondary dwellings shall not be allowed on ***all lots within the land division / on lots*** _____.

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Covenants, Conditions and Restrictions



The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:

CHOOSE APPLICABLE PROVISIONS

- a. On-going maintenance of drainage basin fencing in perpetuity.
- ☒ b. On-going maintenance of **drainage basin / adjacent** landscaping in a viable condition on a continuing basis into perpetuity.
- b. Maintenance of drainage basin landscaping.
- ☒ c. Maintenance of common areas.
- d. Secondary dwellings shall not be allowed.
- e. Designated building sites (and access drives) shall be shown on an exhibit attached to the CC&R's reflecting the approved tentative map.
- f. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
- g. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
- h. An agricultural buffer prohibiting residential structures, consisting of _____ feet over lots _____, shall be shown on an exhibit attached to the CC&R's. This buffer shall become null and void on individual parcels within this subdivision, if the adjacent Agriculture land use category is changed or if any existing commercial agricultural business on adjacent parcels effecting this subdivision cease operation for a minimum of one year.
- i. Maintenance of all local streets within the subdivision until acceptance by a public agency.
- j. The limits of inundation from a 100 year storm over lots _____ from _____ **creek / river** shall be shown on an exhibit attached to the CC&R's and note the required building restriction in the in the CC&R's.
- k. Note to potential buyers and future owners of the property that the project is in an area from which combustion and petroleum-type odor complaints are frequently received by the Air Pollution Control District. The District Hearing Board has issued a nuisance abatement order which should improve the air quality in the Nipomo area; however, clean up is a lengthy process, therefore buyers of new lots should be advised that these conditions exist. (ONLY USE IF WITHIN SOUTH COUNTY PLANNING AREA OR NEAR THE PLANT IN THE SAN LUIS BAY PLANNING AREA)
- l. _____

Low Cost Housing (USE IN COASTAL ZONE ONLY)



Provide _____ residential units for low and moderate income families as defined by Section 50093 of the Health and Safety Code as part of the proposed project or elsewhere in the community. The agreement with the county for the development will include acknowledgment that it is feasible to provide a level of affordable housing in conjunction with this project. If qualified buyers have not purchased any of the _____ units within six months of the units being available for sale, and evidence can be provided that shows a reasonable advertising campaign was used to attract qualified buyers, the applicant may be relieved from the requirements to sell the units to qualified buyers.

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Miscellaneous



This subdivision is also subject to the standard conditions of approval for all subdivisions using **community water and sewer / community water and septic tanks / individual wells and septic tanks**, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.



A stormwater pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary prior to filing the map.



Applicant shall file with the Department of Public Works an application requesting apportionment of any unpaid assessments under the Improvement Bond Act of 1915, in compliance with Section 8740.1 of the Streets and Highways Code of the State of California. Said apportionment must be completed prior to filing the map.



Prior to the sale of the designated remainder or omitted parcel, if applicable, the applicant shall obtain approval of a certificate of compliance or conditional certificate of compliance from the county.



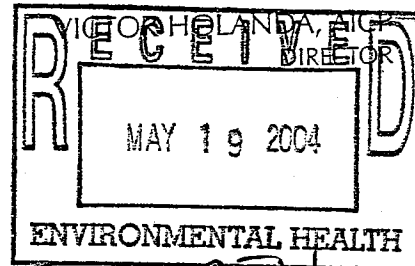
All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.



4-69
S.A. LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

BP

THIS IS A NEW PROJECT REFERRAL



DATE:

5/19

TO:

Env. Health

FROM:

South Co. Team
(Please direct response to the above)

LUCE, KAREN

SUB 2003-00219(Pm)
Project Name and Number

CO 04-0246

Development Review Section (Phone: 781-788-2009 Taryn)

PROJECT DESCRIPTION:

4 unit PUD. Parcel w/ concurrent dev. (off Cienega St. in Oceano)

APN: 062-123-023 & 024

Return this letter with your comments attached no later than:

6/2/2004

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☐ YES
☐ NO

(Please go on to Part II)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☐ NO
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

Please provide stock conditions for community water and sewer. Applicant will need to provide will sewer letter from Oceano Community Services District.

6/2/04
Date

L. Salo
Name

781-5551
Phone



AIR POLLUTION
CONTROL DISTRICT
COUNTY OF SAN LUIS OBISPO

4-70

Planner?

DATE: May 24, 2004
TO: South County Team
San Luis Obispo County Air Pollution Control District
FROM: Melissa Guise *mg*
San Luis Obispo County Air Pollution Control District
SUBJECT: Luce 4- Unit PUD (SUB 2003-00219)

Thank you for including the APCD in the environmental review process. We have completed our review of the proposed project located at 2391 Cienega St., Oceano. We have the following comments on the proposal.

Construction Phase Emissions

The project as described in the referral will not likely exceed the District's CEQA significance threshold for construction phase emissions. However, construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. Dust complaints could result in a violation of the District's 402 "Nuisance" Rule. District staff recommends the following measures be incorporated into the project to control dust:

- Reduce the amount of the disturbed area where possible;
- Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- All dirt stock-pile areas should be sprayed daily as needed;
- All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible;
- Building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
- Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site; and
- Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

Demolition Activities

Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during demolition or remodeling of existing buildings. Asbestos can also be found in utility pipes/pipelines (transite pipes or insulation on pipes). If utility pipelines are scheduled for removal or relocation; or building(s) are removed or renovated this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - Asbestos NESHAP). These requirements include but are not limited to: 1) notification requirements to the District, 2) asbestos survey conducted by a Certified Asbestos Inspector, and, 3) applicable removal and disposal requirements of identified ACM. Please contact Tim Fuhs of the APCD Enforcement Division at 781-5912 for further information.

RECEIVED

MAY 27 2004

3433 Roberto Court • San Luis Obispo, CA 93401 • 805-781-5912 • FAX: 805-781-1002
info@slocleanair.org • www.slocleanair.org

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Naturally Occurring Asbestos

Naturally Occurring Asbestos (NOA) has been identified by the state Air Resources Board as a toxic air contaminant. Serpentine and ultramafic rocks are very common in the state and may contain naturally occurring asbestos. Under the State Air Resources Board Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, prior to any grading activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if naturally occurring asbestos is present within the area that will be disturbed. If naturally occurring asbestos is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include but are not limited to 1) an Asbestos Dust Mitigation Plan which must be approved by the District before construction begins, and 2) an Asbestos Health and Safety Program will also be required for some projects. Please refer to the District web page at <http://www.slocleanair.org/business/asbestos.asp> for more information regarding these requirements. If you have any questions regarding these requirements, please contact Karen Brooks of our Enforcement Division at 781-5912.

Developmental Burning

Effective February 25, 2000, the District prohibited developmental burning of vegetative material within San Luis Obispo County. Under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. This requires prior application, payment of fee based on the size of the project, District approval, and issuance of a burn permit by the District and the local fire department authority. The applicant is required to furnish the District with the study of technical feasibility (which includes costs and other constraints) at the time of application. If you have any questions regarding these requirements, contact Karen Brooks of our Enforcement Division at 781-5912.

Operational Phase Emissions

We would like to commend the applicant for proposing development within the urban reserve line. The District supports higher density development within the urban core, as opposed to development at the urban fringe. This in-fill development makes walking, bicycling and public transportation more viable, decreasing dependence on driving and therefore reducing emissions from motor vehicles. This type of project is consistent with the goals and policies of the District's Clean Air Plan.

District staff conducted a screening level air quality impact assessment for operational impacts from this project. Based on the information provided in the project referral the unmitigated project will not likely exceed the District's Tier I CEQA significance threshold for operational phase emissions.

Wood Burning Devices

As you may be aware, under District Rule 504, only District approved wood burning devices can be installed in new dwelling units. District approved devices include:

- All EPA-Certified Phase II wood burning devices;
- Catalytic wood burning devices which emit less than or equal to 4.1 grams per hour of particulate matter which are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- Non-catalytic wood burning devices which emit less than or equal to 7.5 grams per hour of particulate matter which are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- Pellet-fueled woodheaters; and
- Dedicated gas-fired fireplaces.

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Luce 4-Unit PUD

May 24, 2004

Page 3 of 3

If you have any questions about approved wood burning devices, please contact Tim Fuhs of our Enforcement Division at 781-5912.

If you have any questions or comments please contact me at (805) 781-4667.

MAG/sll

cc: Tim Fuhs, SLOAPCD Enforcement Division
Karen Brook, SLOACD Enforcement Division

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RECEIVED

JUN 04 2004

4-73

Planning & Bldg

MEMORANDUM

TO: SOUTH COUNTY TEAM, DEPARTMENT OF PLANNING & BUILDING
FROM: MARTIN PEHL, ASSISTANT AIRPORTS MANAGER
SUBJECT: SUB 2003-00219/LUCE, KAREN
DATE: JUNE 2, 2004

The applicant is requesting a permit to construct a 4 Unit P.U.D. The proposed project site is located approximately $\frac{3}{4}$ of a mile from the threshold of the Oceano Airport's Runway 29. The proposed site is within Zone 4 of the Oceano Airport's "Airport Land Use Plan (ALUP)" which states that such a use is compatible. Because of the project's location relative to the airport, the following conditions are recommended:

1. An aviation easement shall be granted to the County.
2. Maximum interior noise levels in structures shall be limited to 45 dB or less and that other provisions of the California Noise Insulation Standards are met with respect to aircraft and/or airport noise.
3. Non-reflective materials shall be used for external surfaces.
4. No light emissions shall be permitted that would interfere with aircraft operations.
5. No electronic transmissions that would interfere with aircraft operations.
6. No uses that attract birds and create bird strike hazards.
7. Permit shall require full compliance with Federal Aviation Regulation part 77, "Objects Affecting Navigable Airspace" including, if required, submittal of FAA Form 7460-1 "Notice of Proposed Construction or Alteration." FAA Form 7460-1 submittal requirements are available in FAA Advisory Circular No. 70/7460.2K "Proposed Construction or Alteration of Objects That May Affect the Navigable Airspace."
8. All owners, potential purchasers, occupants (whether as owners or renters), and potential occupants (whether as owners or renters) shall receive full and accurate disclosure concerning the presence and operations of the San Luis Obispo County Regional Airport and any noise, safety, or over-flight impacts associated with airport operations prior to entering into any contractual obligation to purchase, lease, rent, or otherwise occupy any property or properties.

Should you have any questions, please do not hesitate to contact me at 788-2319. Thank you.



4-74
S. LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

RECEIVED

MAY 25 2004

VICTOR HOLANDA, AICP
DIRECTOR

Planning & Bldg. THIS IS A NEW PROJECT REFERRAL

DATE:

5/19

TO:

Oceano CSD

FROM:

South Co. Team
(Please direct response to the above)

LUCE, KAREN
SUB 2003-00219(PM)
Project Name and Number

CO 04-0246

Development Review Section (Phone: 781-788-2009 Taryn)

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We recommend approval, upon satisfactory completion of all requirements as stated in the OCSD Will-Serve letter.

05/24/04
Date

Philip T. Davis
Name Philip T. Davis, UOS

805-481-6730
Phone

Revised 4/4/03

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COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

EMAIL: planning@co.slo.ca.us • FAX: (805) 781-1242 • WEBSITE: http://www.slocoplanbldg.com



BP 4-15
SA LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

RECEIVED

JUL 07 2004 2004 JUL 25 10:17

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE:

5/19 07/06/04

From: TO:

Parks - Jan Dileo

TO FROM:

South Co. Team
(Please direct response to the above)

LUCE, KAREN

SUB 2003-00219(PM)
Project Name and Number

CO 04-0246

Development Review Section (Phone: 781-788-2009 Taryn)

PROJECT DESCRIPTION: 4 unit PUD. Parcel w/ concurrent dev. (off Cienega St. in Oceano)

APN: 062-123-023 & 024

Return this letter with your comments attached no later than:

6/2/2004

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES
☐ NO

(Please go on to Part II)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

(1) REQ. Quimby and applicable Building Division fees

~~(2) Request a track along Cienega (Hwy 1) to Cienega~~

07/06/04
Date

Jan Dileo
Name

4089
Phone

9-716
PROJECT REFERRAL
COMMUNITY ADVISORY COUNCIL

BP

Date Referred: 5/18/2004

Project Planner/Manager: - South Co. Team

The attached application was recently filed with the Planning Department for review and approval. Because the proposal may be of interest or concern to your community group, we are enclosing a copy of the project application and plan for your preliminary review and comment. Please comment on all issues that you see may be associated with this project.

You may want to contact the applicant and/or agent for the project to request a presentation to your group, or simply to answer questions about the project. The telephone number and address for the applicant / agent are provided on the application form that is attached.

PROJECT INFORMATION

File Number: SUB 2003-00219 Applicant: LUCE
Request: 4 unit/pud) Pm w/ concurrent
dev. (off of Cienega St. in Oceano)
Property West of Hwy. 1.

STAFF COMMENTS

C.A.C. COMMENTS *The attached checklist is to help you with your review. You may choose to complete the checklist as your only response to this referral.*

- ☐ We have received the referral on the above-referenced project and have no comments.
- ☒ We have received the referral on the above-referenced project and have the following comments:
- Curb, gutter and sidewalks required. 24th Street needs to be paved
from end of existing pavement to beginning of curb, gutter and
sidewalk; full use of street parking is expected due to the
configuration of the project.

Please let us know the following:

- | | | |
|------------------------------|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Does your community group want to receive notice of the public hearing for the project? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Does your community group want a copy of the staff report when the project goes to public hearing? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Does your community group want to receive notice of the final action for the project? |

Date Referral Action Taken By Community Advisory Council: June 21, 2004